



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





*Rd. Dec. 1938*



HARVARD LAW SCHOOL  
LIBRARY

Received *June 24. 1927*







NEW SERIES.]

[NO. 6]

Apr 30 16

*Can*

THE JOURNAL

OF

PRISON DISCIPLINE

AND

PHILANTHROPY.

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1867.

PHILADELPHIA:  
J. R. CHANDLER, BOOK AND JOB PRINTER,  
Nos. 306 AND 308 CHESTNUT STREET.  
1867.



# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow-creatures; and when we reflect upon the miseries which poverty, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of these miseries. By the aid of humanity, their undue and illegal sufferings may be prevented, the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the first month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

NEW SERIES.

NO. VI.

THE JOURNAL

OF

PRISON DISCIPLINE

AND

PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1867.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1867.



C+P

**JUN 24 1927**

ROOMS OF THE  
PHILADELPHIA SOCIETY  
FOR  
**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month, (January,) 17th, 1867, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, JAMES M. CORSE, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month, 24th, 1867, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Special Meeting of the Acting Committee, held First Month, 29th, 1867, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYTLE,**

SECRETARY.





# TABLE OF CONTENTS,

WITH AN ANALYSIS.

---

## *REPORT,*

9

- Notice of the Proceedings of the Acting Committee.
- Means of Improving the Prisoners.
- Character of the Imprisonment—by excess of Convictions fast changing from Separate to Social.
- Efforts and success in the County Prison.
- Special notice of the visits in the Female Department.
- Efforts of the Society in various parts of this State, and success of those efforts.
- Efforts of the Society and success in other States.
- Direct and indirect influences of the labors of the Society upon the enactment and administration of the penal laws of the State.
- Notice of pardons.
- Reference to the labors of Wm. J. Mullen, the Agent of the Society.
- Reports of some of the cases which the Agent has settled.
  - Illustrating the duties of his office, and the mode of discharging them.

**WHAT HAS BEEN DONE.****22**

The value of associations to be reckoned by the good they produce.

Plans and views of the Society. It leaves with the Legislature the enactment of laws, and with the Court the sentence of convicts.

Consideration of the condition of prisons and prisoners before the formation of the Society. New York Prison Society co-operating with this Society.

Effect of Society's labors on convicts.

System of discipline in County Prisons generally a failure. The success of the Society found in the improvement of individual prisoners, and the work is progressive.

**PRISON SOCIETY IN CALIFORNIA,****33**

A Society formed in San Francisco. Its motive and means of action. Its energetic exertion in the cause of humanity in the prisons, and the results of its labor.

**THE CAUSE.****36**

Intemperance a great cause of crime.

Comparison between the Causes of Crime in this country and in Europe.

**THE ARMY AND THE NAVY,****45**

Results of inquiries as to the cause and *personnel* of the vast augmentation of convicts in the prisons of this State and in other States.

Large proportion from the Army and Navy.

Report of a Committee of Inquiry in various States on this subject.

Interesting Letter from Hon. J. Pringle Jones, Relative to the Former Pursuits of the Convicts now in the prison of Reading, Pa.



A large proportion of the Prisoners from the Army and Navy are young and are very accessible, and yielding to kindness. Those of this class who have been pardoned are not known to have returned to their crimes.

### *VISITORS,*

51

Qualifications for Visitors. Hesitation of Females to visit. Their views of the Duties of the Place. Their repugnance, at first, to entering cells of convicts, even of their own sex.

Interesting Dialogue on the subject.

How the Benefits of Visitation are to be imparted. The Mode and Manner of dealing with prisoners.

The Result of these Dealings. Some Prisoners who promise well, fail under new trials. Many by the watchful care of the Agents of the Society, succeed in their efforts to be, and to do good.

How the Prisoner is to be approached.

What the Female Convict needs. What the Discharged Convict requires.

Encouragement to Labor in the Good Cause.

### *SYSTEM,*

56

Evidences and Efforts of a System of Prison Management in France, Great Britain and Ireland.

Special Notice of the Irish Prison System as one much approved at the present times.

Extract from the Diary of Recorder Hill, of Birmingham, on his Third Visit to the Irish Gaols, Refuges and Reformatories; Comments upon the Irish System of relaxing the Discipline with the Improvement of the Prisoners.

Diminution of the Number of Children in the Reformatories of Ireland.

Prison System in Ireland affected by Social Circumstances.

Necessity of a System.

The Systems of France, Great Britain and Ireland, are only admirable as it regards the Discipline and the General Classification of Prisoners, they fail of Reformatory Effects from a want of Separate Confinement.

The Peculiar effect of the Irish System.

The Ticket-of-leave Prisoners do not always return to the Irish Gaols, but often come to the United States.

### ***MEMBERS,***

66

Notice of the late Matthias W. Baldwin.

Reference to Dr. William Shippen.

The Duties of the Members are to be discharged, and the Work continued.

### ***PROPOSED MATTERS,***

68

HOUSE OF CORRECTION.—Hopes entertained that City Councils will provide means for the Erection and Maintenance of such an Institution.

CONSTRUCTION OF PRISONS.—Character and inefficiency of most of the old Structures.

Most of the changes recently made are in the ornamentation of the exterior, rather than in the adaptation of the interior. Difficulty of Correcting the Evils of badly Constructed Prisons.

### ***APPENDIX,***

73

Private Diary of Jeremiah Willits, whilst visiting Prisons and Alms Houses in this State and adjoining States.

### ***LIST OF CORRESPONDING MEMBERS,***

97

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T.

---

If the legislation of the "Acting Committee" was alone that which is to be reported to the Parent Society, this statement would scarcely be a work of necessity, as at every quarterly meeting the whole of the proceedings of the Acting Committee are laid before all the members of the Society that choose to give their attendance, and they may sit in judgment upon what their agents have reported of their proceedings. But the "Acting Committee" has extended its labors beyond the circle of its former influence, and works often indirectly by voluntary associations that extend and augment the influence of the Society. Hence the propriety of making known, with the report of the home action of the Committee, what is done abroad, done, if not in the name of the Society, at least in its spirit and by its direct influence. Beyond all this, too, are the reports of Foreign Societies and of Governments acting in the direction of penal and reformatory imprisonment. These all become important

to those of our Society who are expecting beneficial results from attempts to "alleviate the miseries of public prisons," whether those attempts are made by Societies established directly and solely for the purpose, or whether they are the efforts of legislatures so to direct the arrangements of prisons as to make them subservient to the true object of their erection, or rather, perhaps, to elevate the estimate of their capabilities, and direct their influence to higher ends.

Another motive for detailed reports may be found in the fact that the *active* members of the Society are mostly members of the "Acting Committee," while a large majority of those who willingly contribute to the funds of the Society and sympathize in all its movements, do not find it convenient to assist the Society by their direct advice, or aid it by their presence. Other associations claim their services, other societies, equally important in a philanthropic sense, demand their presence at their meetings and their labors abroad. They judge between the claims of the different associations, and they consider no less carefully of their own capabilities, to serve one branch of charity better than another. To these is eminently due a full statement of the proceedings of the "Acting Committee," that they may know what they are sustaining with their names, what they are patronizing with their means.

Again, we confess, great benefits are derivable from the reports of other societies. We acknowledge advantages from the statement made to the Legislature of the action of the Warden of the Penitentiary, of the Prison Superintendent, and of the Inspectors, and it would be

no evidence of modesty in us to suppose that the statement of our efforts would be uninteresting if not instructive to those from whom we derive improving information.

We hope that the actual benefits resulting from the labors of this Society will extend a knowledge of its existence and perpetuate the memory of its labors.

But, we may be pardoned, if we confess that with the many stronger reasons assigned above a just pride may be indulged in placing before the public, in a permanent form, a statement of what we propose, how we labor, and what are the results.

It must be good to present publicly and permanently something which, if not greatly interesting to those who are willing to let accident direct our public institutions, so that *they* escape present injury and personal responsibility, may at some future day, or perhaps in some distant report, arouse a latent spirit of Christian philanthropy and direct it to a useful exercise; something by which philanthropists are informed of the existence of others, and despairing from its own want of success, shall see, and bless God and "take heart again."

We might offer, as another motive for sending forth our annual report, that besides the good which we have attempted, and besides the great benefits which we know to have resulted from the devoted labors of the active members of our Society, we have a duty to make known the perpetuations and enlarged labors of an association that had such an honorable parentage, and has distinguished itself through a long existence by a close adherence to the objects of its establishment; and, under



all the various circumstances of political and social changes and national disasters, has held on its simple course, widening its pathway as circumstances suggested, but always keeping in view its prescribed ends.

It is undoubtedly, in some measure, to the fixed purpose of the directors of the Society that its perpetuity and success are due. It has not excited the jealousy of other associations by impinging on their plans, nor alarmed the conservative members of the community, by proposals of changes so radical and extensive as to threaten to disturb the established and cherished plans of a well-organized community. Nor has it exposed itself to ridicule by undertaking improvements which, to be effective, would demand the co-operation of those who regard individual sufferings as of little moment when compared with the success of schemes that bring public honor and public reward to the inventors.

The members of this association have all their personal relations with general society which become the duties of the citizen, and have aided in their own way in the great schemes of public works and the development of our natural resources, by which honest industry has found occupation and capital a rich remuneration. But, as members of this Society, they have in their several ways inquired out the condition of those who have failed of honest industry and been without the remuneration of capital. They have gone where honest industry has no existence, and they have inquired for those who have made shipwreck of their means, their power and their character, and sought to restore them to life, and to lift them into its usefulness. Their labors

have generally been behind the walls of the penitentiary and within the cells of the condemned. Or if their agents have appeared before the world, it has been only to suggest that legislation which shall benefit the miserable and restore to virtue the public offender, which shall cause justice to be tempered with mercy and make the penalty of crime the means of amending the criminal.

These are not places nor modes of labor that excite jealousy, nor is the success ever likely to be so great as to provoke envy. If the criminal in his cell is to receive the ministrations of the agents of the Society, who is to follow there and take note of the resulting benefits? If the convict is to be sent forth a repentant and an improved man from the monition and care and kindness of the visitors of the Society, the very success of all efforts at his improvement would be jeopardized, might be lost by the slightest intimation that the proprieties and virtues of the man were nursed in a penitentiary cell by the agent of "the Society for alleviating the miseries of prisons."

Not to have departed from the prescribed path of duties is a negative praise to which the Society is entitled. To have modestly, quietly, steadily prosecuted its objects without interfering with the rights or plans of others is what it has intended to do. Some results from the cause encourage a continuance of labors, while they reward the efforts that have been put forth.

The annual reports of the Society have for several years past fully detailed the round of duties which the Society prescribes to its active members, and the manner in which those duties have been performed. So also

the scenes of their labors have been described and the character and administration of the two prisons in this city, viz: the Penitentiary and the County Prison, especially the latter, were fully set forth.

It remains now only to be said that a Committee of the Society, consisting of twenty-four members of the Acting Committee, attend the Penitentiary regularly and visit the prisoners of that institution at the doors of their cells and in their cells, and making themselves acquainted with the former life of the convicts, they persuade them to *think*, and thinking, to resolve to do better when they shall again enter the world. The resolve having been professed, the visitor continues his instructions and advice, excites to new resolves with hopes of success founded on the rewards which perseverance has secured in others.

It is a good place to speak of the danger of crime in a prison. The poor convict feels the truth of the lesson: all around him he sees how exact and consequent is the punishment which he is enduring, and once persuaded that the infliction which he suffers will end the punishment, and that liberty will secure confidence, he has no hesitancy in promising, and no difficulty in trying to fix in himself a habit of correct thinking upon that on which his future habits of correct action are to be formed.

Nor are these plans to be lightly esteemed nor their good results distrusted. Many who have entered the Penitentiary convicted of great crime, and commenced their term with regret only for their detection, and continued for months with a growing resolve to avenge themselves on society for the punishment they were en-

during—to revenge themselves by future depredations which should be augmented by abstinence, and committed with an impunity which genius and experience would ensure; many of that kind have been persuaded by the visitors of this Society to enter into themselves, to comprehend something of the dignity of human nature, and their duty to God and society, and when they have gone forth they have by years of industry and by habits of economy acquired a competency—or at worst have risen above want, and felt that self-respect which only the virtuous can know, which the repentant can most keenly enjoy.

The diaries of the visitors to the Penitentiary have much of that kind of record, and it would greatly enrich this report and add abundantly to its interest with the public could we feel at liberty to use them, but that minuteness of description which would be necessary to give authenticity to the narrative would tend to expose the subject, and thus defeat the efforts of the released prisoner and his friends to save him from that exposure which would almost certainly prevent his success. The mark set upon the offender might prevent others “from taking his life,” but it would hinder them from bestowing that confidence which is the life of business.

The Society has reason to be gratified with the success which has attended the labors of their Committee at the Penitentiary, labor persistent and faithful. They are not insensible of the service of the “Moral Instructor,” an officer of the institution, but while the great success of his efforts is an occasion of congratulation to them as philanthropists, it is not a legitimate ground

for self-felicitation as members of this association, who are to speak of their own works, while they are thankful for the good works of others.

A part of the Acting Committee of the Society is detailed to do service at the County Prison, and from fifty to sixty visits a month are made to the different divisions of that Institution. Each member visiting is assigned to some particular gallery, and reports monthly the number of visits. The County Prison contains the tried and untried, the vagrant and the drunkard.

While the number of convicts in the convict block did not exceed the number of cells, it was not difficult for the administration of the places to conform to the Act of Assembly, and maintain, at least something of separate confinement, but when the number of convicts amounted to three hundred and sixty-seven, to be placed in two hundred and four cells, many of which cells could in consequence of containing looms, receive only one prisoner, it follows, that the idea of separate confinement must be given up, or rather, little more than the idea could exist.

Some of the inmates of this block have derived great advantages from the labor of visitors, and nothing has occurred to destroy hopes of efficient labors in their behalf. But it is vain to look for the same benefits of the labors of philanthropy among associated convicts, as are certainly derivable from efforts with those who are undergoing separate imprisonment.

The general tendency of associated imprisonment of convicts is to make all as bad as the worst, to keep up a spirit of insubordination, towards the authority of the



prison, and of contempt for the moral suasion of visitors. It may be added that the theory of the County Prison was separate confinement. Its practice is necessarily made associate—none of the advantages of either seem to be fully secured, and all the evil of both, almost of necessity results even where, as in the County Prison the administration is excellent.

In the Female Department where all classes of female prisoners are to be found, the instruction to the inmates is mostly by ladies engaged by this Society, or invited by members of the Society and the Inspectors to visit the unhappy beings as often as possible, and thus endeavor to improve them. While less has resulted in the way of reformation than was desired, it may be said that many instances could be advanced of women who, apparently, lost to Society by their misconduct, have been induced to commence a reformation which has finally resulted in established good conduct, that has secured a renewed confidence and some years of virtuous life.

Of course, not so much hope can be entertained of improvement in females as in males. The former, when they fall, seem to fall below their own hopes. They know how low are rated the erring of their own sex, and they need double assistance to lift them into resolves for good. Yet they are reclaimable, and have been reclaimed—even when sunk to a depth, where modesty shrinks from their contemplation, and as an encouragement to effort, it may be said, that some have admitted that though on leaving prison they resorted to their occasional haunts and habits, yet at a later day, in sick-

ness or great distress, they have recalled the teaching of the Society's visitors, and derived therefrom courage and strength to reform. It is pleasant to say that while ladies of various denominations come to do the good work in the prison and find there some prisoners of their special creed, they have labored in love *with* each other as well as for the prisoner, and added to the benefit of their mission the beautiful example of Christian charity to all. They have not changed, not even modified their creeds, but they have manifested a most beautiful rivalry in attempts to illustrate their particular faith by the benefit of their works on others. The constant unobtrusive labors of these good women may be regarded as among the most beneficial works in the two prisons, as they are, certainly, admirable expositions of the influence of Christianity, and the most lovely qualities of their sex.

The efforts of the Society have not been limited to the improvement of prisoners in the County Prison and the Penitentiary in this City. These home labors have been persistently and successfully prosecuted, and the results if not satisfactory, have at least been gratifying to those who toil in, and those who watch over the undertaking, but what is good for the inmates of the Prisons of Philadelphia must be beneficial for the occupants of cells in every prison in the Union, in every prison in the world, and satisfied that the work is rightly commenced here at home, and willing to do good and communicate, the Acting Committee encourage their fellow members to investigate the condition of the Prisons throughout the State; and reports upon their management were made, an exposition of the errors in the con-

struction of the buildings, and the mistakes or neglect in the administration of the affairs, and suggestions as to the mode of remedying the evils, and making the penal houses of our State places of moral improvement, attracting the attention thereto of the Governor of the Commonwealth who recommended the subject to the Legislature, and much attention was given to the suggestions. Great and sudden changes in matters that involve the interests, the ease and the established views of many are rather desirable than hopeful, but where reform is needed it is much to awaken attention, resolves follow, and finally reformation succeeds. The State of Pennsylvania needs a system by which her County Prisons may be regulated, and their management made public through an officer at the seat of government. The efforts of the Society however have not been without positive fruit. The subject of prison discipline has been made to occupy public attention, and several Societies auxiliary to this have been established in populous parts of the Commonwealth so that corresponding action is kept up, and the work of alleviating the miseries of public prisons is carried on, and constantly commended to public approval.

In some parts of the State where for the present the business of an auxiliary Society could not be so conveniently conducted, the same good ends are secured by the labor of corresponding members whose devotion to the good cause will supply the place of a Society, till it procures the existence of an Association, which shall be a help-mate for the parent institution.

And it should be added that intimately connected

with the miseries of public prisons, are the sufferings of public almshouses, and hence the Society instituted inquiries into the construction, organization and management of the almshouses of the several counties or districts in the State, the results of these inquiries were made known at the time. A system is needed, and has been recommended.

The inquiries instituted with regard to the Prisons and Almshouses in this State have been prosecuted and enlarged by a single member of the Acting Committee.

Virginia, Kentucky, Ohio, Michigan have been visited; many Jails, Prisons and Almshouses in those States have been examined, and a spirit of philanthropy has been awakened, and directed into the organized modes of action, so that the good work is being carried forward, and if the pecuniary means of this Society equalled the zeal and devotion of some of its members, there can be no doubt that "the miseries of public prisons would be alleviated throughout the land, and punishment and improvement would go hand and hand."

It must be considered as a part of the good work of this Society, that it has stirred up others to similar works, that while at home it has alleviated much misery, it has abroad awakened sympathy and secured co-operation.

As a means of removing prejudice or, at least, of correcting misapprehension with regard to the action of this Society, it is deemed proper to say that it is no part of its plans to procure the pardon of convicts, even when members visiting the cells become convinced that the ends of justice have been satisfied by the punish-

ment of the convict. It has been the steady action of the Society to discountenance all efforts in *its own name* to interfere with the sentence of the Court.

The indirect influences of the Society, it is believed have had a tendency to shorten the term of punishment for certain offences, but that has been done by the evidence that the direct influences of the Society have greatly improved the criminal undergoing punishment. But the sentence having been pronounced by the Court, the Society limits the efforts of its Committees to that instructive and moral suasion which shall lighten the weight of penalty, not by expectation of lessening the time, but by the resolve and hope that no future misconduct shall procure a repetition of the punishment.

The Society leaves to others to recommend, and to the Governor to grant pardons, and it is believed that the power thus to exercise clemency is necessary to the cause of human justice, as it is a beautiful attribute of Christian philanthropy.

In addition to the Committees appointed to visit the Eastern Penitentiary and the County Prison, the Society has the services of Mr. Wm. J. Mullen, as an Agent to look to the wants of the untried prisoners, he endeavors to reconcile jarring feelings and interests that have lead to an appeal to the laws. Mr. Mullen is extensively known in the work of benevolence; but he is better known to the unhappy families where disturbance needs interference, than to those to which this Report will appeal. Children whose fathers have had their heads broken, and whose mothers have had their hearts wrung, appeal to Mr. Mullen as if he was a Pro-



vidence of their kind, and while he uses the persuasion with prosecutors, and with the Aldermen, or the officers of the law, to procure the release of those through whom comes the daily bread of the family, the old and the young seem to regard his ability to persuade others as an absolute power which immediately grants what in reality it only procures.

We copy two or three of the many cases represented by Mr. Mullen, and these are selected not so much for their comparative importance as for their brevity, suiting our limited space.

NUMBER 1—Was the case of a wounded soldier who had been robbed of thirty dollars (\$30.00) in a public house while he was in a state of intoxication. He accused the proprietor, of having robbed him, had him arrested and bound over for the offence. The accused thereupon sued the soldier and had him committed to prison upon the charge of assault and battery. When asked to release the soldier he refused to do so, because he accused him of having robbed him. The landlord declared that he was innocent of the charge, and was not on the premises at the time the robbery took place, but was in another part of the city. Your Agent carefully investigated the case, and discovered that the landlords statement was true, and that he had indeed been falsely accused. The soldier was mistaken when he said the landlord had robbed him, for the investigation showed that he had been robbed by three men, one of whom, has since been arrested and committed to prison for the offence. This man confessed that he and two others took the soldiers money and divided it between them, and that the landlord was in no way connected with the case. The soldier apologized to the landlord for the mistake he had made in prosecuting him wrongfully while under the influence of liquor, and the landlord consented to withdraw his suit against the soldier for assault and battery. Thus both cases were settled at the expense of the landlord, who paid the costs, and then generously made the soldier a present of five dollars to help him along. They left the prison together good

friends—each thanking your Agent for his interference in their behalf. The real thief in the case remains in prison to be tried.

NUMBER 2—Was the case of a mother and her daughter, both committed on the charge of having stolen eleven dollars. The prosecutrix was a drunken vagrant who had since been arrested and consigned to our prison herself. While there, she became sober, and admitted that the charge of larceny which she had in her drunkenness brought against the mother and daughter was false, and without any foundation whatever. The Agent had their case settled before the proper authorities, and they were released without costs.

NUMBER 3—Was a man who had been committed by the Coroner to the debtors prison as a witness in a murder case. When he had been in prison about two months, the Agent discovered that the murderer had never been arrested, but that he had fled and left the country. Notwithstanding this fact, this innocent man was detained in prison as a witness. The Agent had him brought before the Court, when he was discharged with the consent of the District Attorney, the Coroner and everybody concerned. He was a respectable German who had never seen the inside of a prison before.

NUMBER 4—Was a discharged soldier, who, on the battle-field in the defence of his country, had lost, both his legs below the knees. He was committed to prison upon the charge of misdemeanor. An investigation showed that his offence consisted in his owing about fifty dollars (\$50.00) for board, which he was unable to pay. As imprisonment for debt is abolished in this State, the Agent demanded of the prosecutor to go to the Alderman and ask for the immediate release of the prisoner. This demand was complied with by the prosecutor. He went to the Alderman, paid the costs, and obtained the discharge, after which he accompanied the Agent to the prison, made friends with the prisoner, and offered to take him back to his house to live. This offer was not accepted, as the Agent had already provided a home for the prisoner and his wife, where they would be cared for free of expense, until he could get employment or obtain subscriptions for his performance on the hand-organ, which he had been in the habit of playing for a living. This imprisonment had caused the wife great distress, as she

was a German woman, who could speak but very little English, and the prosecutor had turned her out of doors at the time when he sent her husband to prison ; she was homeless, friendless, and without money. As soon as these facts were made known to your Agent, she was taken into the prison and cared for until her husband was released ; afterwards they were both supplied with a home in the House of Industry. The imprisonment was not only illegal but unjust, as the prosecutor had made false representations in order to get him imprisoned.

The amount of domestic misery thus alleviated is beyond all calculation. None can appreciate the blessings diffused among the poor, by the good offices of the Agent of the Society, but those who witness the restoration to their families of beings whose follies, vices, or misfortunes have sent them to prison, and whose "sober, second thought" has led to professions of resolutions that have secured them their release.

The public have deep interest in the success of Mr. Mullen's labors, as the demand from the Court upon the Treasury of the City is greatly diminished by the number of those he saves from trial, while the arrangement of the cases is not in violation of the true principles of Justice.

---

## WHAT HAS BEEN DONE.

In one of our former reports it was remarked, that the value of an association must be estimated by the benefits of its labors. We may add, that the honor of an association may arise from its plans and its efforts. We believe that our Society has an intrinsic value in

the good it has accomplished ; and we claim for it some honor on account of its plans to alleviate the miseries of prisons, and its efforts to restore to society people whom misfortunes and vicious habits have made obnoxious to the penal laws of the country.

The plans of the Society have all a close relation with the leading objects of its formation, as expressed in its title, "The Alleviation of the Miseries of Public Prisons ;" not merely the lessening of one kind of suffering, not merely the abolition of that kind of suffering, but the persistent, peaceful prosecution of plans to diminish all *evils* in the administration of prisons ; not to destroy prisons, not to destroy their just terrors ; but to have their discipline so regulated that no bad principle in the man incarcerated shall be made worse, and the whole administration of the penal laws so modified and so enforced, that no injustice, no extreme of infliction, and no sentiment of maudling humanity shall make the prison less than a place in which to guarantee society against violence and fraud, and to insure to the guilty a just punishment for crime, while that punishment is made to minister to the moral improvement of the convicted offender.

And that leads to a remark, that it is not one of the plans of the Society to remove the real offender from the righteous inflictions of punishment. This Society enters into no discussion whether capital punishment shall be abolished or continued ; whether this crime or that crime shall have the heaviest penalty. Its desire is that no cruelty be practised upon the prisoner, and that his punishment shall be so ad-

ministered that he may see and comprehend that in all things, "honesty is the best policy ; and the Society advocates that disposition of the prisoner, while he is a prisoner, that shall insure the greatest improvement in his moral condition. It has arrived at a conclusion on one point, which has a relation to the object of its existence, viz—separate confinement of prisoners as a means of dealing with the mind, and preventing the contagious influences of vice. On that point the Society has ceased to argue ; it has placed before the world the evidences of the correctness of its plans in that direction, and points to the adoption and successful practice of that principle in other parts of the world.

This Society desires to leave to the Courts the sentences of convicts, and to see that in the house of punishment nothing is done by authority that shall close the door to improvement, while, by its own efforts, nothing shall be omitted that shall encourage repentance, and assist in improvement. The plans which have been formed by the Society include, also, the extension of its views in other parts of this country, and in other countries ; but the Society does not press itself upon public notice by any exhibition of its numbers, nor invoke comment, or court attention by public discussion.

Thus, *consideration*, if not *honor*, may be claimed for our Society from its plans.

We come now to consider what this Society has done, what has been the direction and the result of its labors.

What was the state of our jails before the existence of this Society, and what is the state of those jails where the influence of this Society has not been felt,

or where the spirit which animates the Society has not been felt and exercised by others, it is not necessary now to inquire too closely. In our report for 1864 and 1865, we gave the observation of members of our Society visiting prisons in our own State, and what they saw and heard was not creditable to the administrators of our prisons. The miseries of prisons before the existence of this Society had no alleviation but in the discharge of the prisoners by law or by death; some prisons exceeded others in loathsomeness, but all were the abode of misery, and many were schools of vice and crime. To be in prison was regarded as the end of all hope—to have been in prison was enough to cut off all confidence. The jail then seemed a place of purgation, where what little of good had been left in the heart of the offender was purged out, and the prisoner came forth perfected for the great work of crime. The squalledness of the place and the mental torture and physical suffering endured there wrought no idea of improvement; the love of self which lead to incarceration, received in addition a hatred for those who procured and those who sanctioned that incarceration. The hands that consigned and conducted the convict to his penal residence were conductors of the worst passions that invade the human heart; and the hand that was extended in fellowship to welcome the brother convict sealed the bad passions to his ruin.

We have said that it is not necessary to present arguments in favor of the Pennsylvania system of separate confinement of prisoners, but when we undertake to show "what has been done" we should overlook an im-

portant result of our labors were we to omit to notice the fact that in England and Ireland, where the idea of philanthropy is avowed in all attempts at prison discipline, it is admitted that just in proportion to the approximation of their system to the plans of separate confinement, is the success of attempts to improve the morals of the prisoners. And in this country, while some writers oppose separate confinement they seem to admit that much of the failure of imprisonment to improve the convict is due to the bad influences of the very bad upon the less advanced in crime.

The New York Society established upon grounds similar to those occupied by this Society, with reference to the general alleviation of the miseries of prisons, declared in its last year's report upon the means of improving prisoners: "there can be little improvement in our common jails until the prisoners are ENTIRELY ISOLATED AND RIGIDLY KEPT IN SEPARATE CELLS."

If the work of separate confinement in the New York prisons is not yet accomplished it is a source of gratification that a Society so important in its numbers and fiscal means, and, most of all, in the zeal, disinterestedness and talents of its members, has declared itself in favor of that great principle; has strengthened the argument which this Society has from time to time, put forth on that subject; has sustained the practice of the penitentiaries of Pennsylvania, and has shown itself in accordance with the new opinions in England and Ireland.

In works so important as prison discipline we must not expect rapid changes. Systems are established; men are employed; large costly houses are already erected; but



taxes for convicts are not acceptable. We must repeat our arguments, we must industriously compare results, and we must look hopefully to the laborious inquiries of the men, who, whatever views they may have entertained and expressed on the subject, are open to conviction and willing to adopt and sustain what may be proved to be good.

Pennsylvania was fortunate in having commenced the erection of her penitentiaries after the commencement of inquiries as to the best mode of their construction, and the best means of making them instruments of improvement as well as of punishment. With them she had no system to change nothing to unlearn.

One good work has been done by our Society, one that was necessary to any effort at improvement. One without which we could not hope for any success in plans of prisons or treatment of prisoners, we mean the effect of the labors of the Society through its visitors to the County Prisons of this State and the penitentiaries and prisons of neighboring States. The first labors of these visitors has been to awaken those connected with the administration of prisons, to the fact that, their plan or want of plan has produced no good to the community, because it has wrought no good to the prisoners. It may be considered something to have a thief shut up for three months where he cannot, in all that time, annoy the community by his depredations; but, it is mortifying to hear that these three months of comfortable safety have been purchased at the cost of future depredations, which the sharpened wits and stronger hostility of the prisoner will make more oppressive.

It is now largely, almost generally acknowledged, that the system of discipline in County Prisons is an utter failure, even where there *is* a system, and that generally no benefit comes to the prisoners and no safety to the community from the treatment of convicts. One other benefit comes from the laborers of this Society, not only have Jailors and Inspectors been satisfied that there are great deficiencies in the plans which they are to execute, but philanthropic citizens who have had no interest in the affairs of prisons, begin to confess that they ought to feel and express an interest. They acknowledge that there is a work before them and they need only co-operation to enter upon that work. In some counties the work is begun, and prison discipline is blended with prison instruction, and the labors of the visitors are rewarded in their new hopes for the amendment of their prisoners; and the privations of the prisoners are compensated for by strong resolutions to do better, and a feeling of gratitude to God and man for the sense that they are not forsaken by one nor neglected by the other.

It was not enough that a Committee of this Society visited nearly every prison in the State, and ascertained its condition and discipline, nor was it deemed enough that corresponding members were engaged to give information of the state of, and changes in, our prisons. A second mission followed up the work, inspirited resolves, and secured action; and even beyond the limits of our State the good work has been commenced; an awakening of the public mind to the true uses of imprisonment, to the benefits desirable to the prisoners and to Society from incarceration is manifested, and there is little doubt

that the subject of prison discipline and prison instruction is about to be understood, and its benefit diffused.

On this point we may add a word or two. It seems almost a contradiction of terms to deny, that advancement has been made in the work of improving prisoners, even where no system prevails; but a plan of building prisons and a system of discipline for the prisoners may exist, may be carried out indeed, with no improvement to the inmates of the penal house. It is true that in general, wherever there is thought enough given to the construction of prisons and the management of prisoners, there is less left to accident than in jails that have been constructed with no view but detention, and conducted with no object but punishment. But we have had occasion to notice that while some *taste* has been manifested in remote counties in the construction of prisons, and a showy outside has made the jail a sort of set off to the Court House, the laws that make merciful the decision in the latter places, have not found correspondence in the rules which direct the affairs of the former.

In the handsomest jails that have been erected there has been found little within to correspond with the beauties without. Reports have indeed been made of the number and character of imprisonments, and the cost of detention and of clothing and feeding; but nothing is said about the effect of the imprisonment upon the incarcerated, unless the enlarged bill of mortality may be regarded as a summary of physical results, or the swollen list of "recommitments" be taken as evidence of moral effects.

It has been deemed an established conclusion that the

convict is to be regarded as an irreclaimable scoundrel, and as his hands have been against some, so in a spirit of stern virtue every man's hand and voice must be against him; and he seems to evince the greatest sense of public virtue, who, the soonest and longest leaves the the culprit to the operation of legal vengeance. Against this spirit the action of this Society has been directed, and it is thought that its action has been productive of good.

The triumphs, or rather the success of our Society must not be measured by the number of converts that have been made to its distinguishing dogma of separate confinement, that is a triumph in the right direction, because it ensures the successful application of almost all our plans for the alleviation of prison miseries. But we must consider also, how the humane plans connected with that scheme have been applied where from various causes it has been found impossible to make inroads upon strong prejudices—or where those inroads having been made, it is yet impossible to adapt the prisons to the discipline of separate confinement. Many prisoners have been instructed in the great rules of religion, even where companionship of evil existed, and the omnipotence of truth has had its highest demonstration in the effect of that heavenly principle upon minds exposed to all kinds of antagonistic influences. Something has been done—much has been done, where all can be effected only by the adoption of the separate system.

The work is going on; hand after hand lifted to forward our undertaking has fallen, palsied by death; but other hands have been lifted, other hearts warmed, other

zeal influenced, and the revolution in prison construction, and prison discipline is going on. *Such revolutions never go backward.*

---

## PRISON SOCIETY IN CALIFORNIA.

Under the head of "What has been done" in the preceding article in the present number of the Journal, we illustrate the progress of the alleviating principle of humanity in this and the neighboring States. We are, quite accidentally, in possession of an extract from a "San Francisco Gazette" which gives a beautiful illustration of the movement in that distant part of our country, with regard to alleviating the miseries of public prisons.

From an imprint on the corner of the envelope of the extract, we learn that there is a Prison Society in existence in San Francisco, and that it bears the title of California Prison Commission, and that it has an office in San Francisco. The letter is addressed "Prison Aid Society, Philadelphia," and a note in the corner says, "Will the Postmaster give this note the right heading as the name may not be correct."

The request was complied with, unless indeed, some of the retail liquor stores in the vicinity of the Moyamensing Prison, should put in a claim to be regarded as "prison aids," as undoubtedly they greatly *aid* in sup-

plying a population for the prison, though they do not aid the prisoner.

It must be of interest to our readers to know that something is being done in California to alleviate the miseries of prisons, and can scarcely fail to gratify their curiosity to know *how* it is done. We therefore insert in our report the following extract from the California paper :

**PRISON COMMISSION MEETING.**—On Tuesday evening, the Trustees of this Association met to hear and consider the report of their General Agent, Mr. Woodworth, for the quarter since the previous meeting. The State Prison, the County Jail and the Station House, are now all regularly visited by the Agent, as often as occasion requires; the State Prison once a month, at least; the jail, more frequently, and the City Prison, every morning. The object of the visits to the last, is to inquire into the case of each person confined there, and to afford such assistance to those without friends or means, as it may be proper to give by labor in collecting facts bearing upon a given case, by procuring counsel, by mediation between opposing parties, etc. In every instance, where a prisoner is in danger of being sent to jail, and his previous known character and the circumstances attending the charge against him will warrant his interference, the Agent endeavours to exert his influence to save him from the disgrace and contaminating influences which such an imprisonment would involve. In his efforts, he is kindly assisted in every way which justice will admit of by the officers of the Courts, those of the prison, and other members of the Police Department, as well as by members of the bar, who have volunteered their services whenever they shall be needed. Each inmate of the jail is conversed with at various times, and as many at the State Prison as the circumstances will admit of. Every one there is seen at least before his discharge, and all from the different houses of detention who choose to accept the Agent's invitation to call on him, are met at the office of the Commission, and there afforded such advice and material aid as circumstances seem to require, and it is within his means

to give. A few have been supplied with employment, and others have been enabled to find it for themselves, being counselled and assisted in their efforts, until successful. The great deficiency now is in the treasury, amounting, for the quarter, to \$175, and making the Society a debtor to that amount. The friends of the cause must come up to the assistance of the Agent in his work, or he will not be able to accomplish what is expected of him.

The following are some of the statistics of work performed by the Agent during the quarter: Whole number of interviews with prisoners, before and after their release, 854; number of prisoners conversed with for the first time, 412; number assisted in various ways, 106; number furnished with board for periods varying from a single meal to three weeks, 15; number supplied with money in small sums, generally those leaving the city for the interior, where they had friends, or hoped to find employment, 14; with clothing, 4; number furnished with means to leave the city for various points, 14; number released from confinement, (in the City Prison,) their further detention not being demanded by justice or the interests of society, such release being secured by the efforts, in various ways, of the Agent, 32; commutation of sentence secured in three cases; visits to the office of the Commission by discharged prisoners, 100; visits by the Agent to the State Prison, 5; to the County Jail, 44; to the City Prison, 81; addresses to prisoners, 41; letters written, 34; articles for publication, 5; money collected, \$288 50, and about 1000 business calls made. Correspondence has been opened with several societies similar in character in the East, and documents received from them, bearing on the work, which it is designed to place in the hands of persons who need and who desire information in regard to the nature and practicability of such enterprises as the one undertaken by the California Prison Commission.

A pencil mark on the margin of the newspaper scrap, says a meeting was held on June 5th, and adds: "A Sabbath is spent on each visit to the prison at which about 150 attend, seeming much interested. There are now more than 700 convicts in the prison, with a continual increase."

## THE CAUSE.

It seems almost natural that those whose inquiries and labors are among the miserable, the suffering, and guilty, should be lead to inquire into the cause of that suffering, and the guilt which they encounter. And if it be true, that a knowledge of the cause of disease is necessary to its cure, it cannot be doubted that those who would meliorate the condition of the suffering and lessen the guilt of the criminal, must understand something of the cause, the ways and the progress of crime and misery. If we see a family in squalled poverty, and find that the parents are given to excessive use of intoxicating liquors, we declare at once that intemperance is the cause of their degradation, and that is undoubtedly a right conclusion. Intemperance may be regarded as the proximate the immediate cause of the evil. But is there not something far back of that, is there not a cause for that cause? Theft, fraud, speculation, lead men to the prison, and are therefore a cause. But what leads to theft, fraud and speculation? These are inquiries which we do not propose now to answer at large. But we purpose to insert certain facts and argument, and thereby to provoke inquiries into these subjects of social science, and to invite the publication of the results of those inquiries for the benefit of the community.

Intoxication, the excessive use of strong drinks is *the* evil of our country, it is an evil in most countries where strong drinks can be easily obtained. It is often the



resort of poverty and wretchedness, where poverty and wretchedness are the prevailing conditions of the country. It is the practice of the accidentally wealthy and the idle, where accidental wealth and idleness are prevalent, drunkenness is resorted to by some as a means of diminishing the immediate suffering of poverty and disgrace; and drunkenness is practised by some as a part of the enjoyment of wealth and freedom from toil. But neither sudden wealth nor protracted poverty necessarily lead to intemperance.

If we search the records of our criminal Courts, we shall find that the calendar is charged with a majority of names of the destitute poor.

If we look into the records of trials in the commercial metropolis of the nation, for at least three years, we shall find that the number of delinquent rich is quite equal to the proportion of that class to the more abundant poor.

The contempt of the ordinary means of gaining day by day his daily bread, has lead the rascal to abstract portmonaies from the pockets of city rail-road passengers, and conducted him to the Prison. Thirst for adding millions to the possessed millions, has lead the millionaire to fraud and the Penitentiary.

It does not seem that absolute want in this country leads many to the commission of crimes, at least, it does not appear that those who are detected in crimes, and punished therefor, had resorted to all the means of obtaining an honest living, which were available, or been content with the competence which they had inherited or achieved.

Vice and crime are certainly measurable in some degree by general or individual want, and in proportion to the difficulty of obtaining honestly a living, at least in some countries, if not yet in our own, is the augmentation of crime. Crimes against property which lead to crimes against the person.

We will not now cite cases in the criminal experience of our own Country to illustrate the last point, viz : that crime is in some degree dependent on the difficulty of obtaining an honest living. It is true that in almost every city and town in the State, (and we have reason to think it is so in other States,) commitments for, and conviction of, crime have greatly augmented since the close of the war, and the return of a large number of men with the habits of the camp. As a general rule, many persons entered the army in that order to obtain a reward in bounty and pay, without persistent and regular toil, which becomes those who have not the faculty of "art-labor." And many of them who returned, came in such numbers that the ordinary wants of business and trade cannot take them up. But we see that many, ashamed to beg, and unable to procure situations such as they might desire, and which they could fill, and too *good* to aid themselves by injuring others, have resorted to the means of message bearers, and seem to promise to make profitable to themselves as it is respectable, a means of living that was scarcely known in the city before, For the rest, those that succumb to temptation, or those that do wrong from old habits, and without encountering temptation, they could, if they would, obtain a good living without wrong doing,

and they have no excuse, in the state of the times, nor in their own inability to toil.

But the effect of want, or the scarcity of food, on the morals of a community, is worthy of note, and we find a general and particular reference to the subject in the Annual Report on the Penitentiary establishment in France for the year 1863—a statement which seems to make the price of wheat the standard of morality, as a sort of penal thermometer, a map is given, in which the rise and fall of wheat is marked, and the number of attempts, at fraud and robbery, is given for each year.

The Report says: whenever there has been a considerable rise or fall in wheat for any considerable time, the criminality of the country has followed the same course. For example, from 1845 to 1847, the price of wheat rose from 19 francs 76 centimes, to 29 francs 61 centimes, and the number of convicts rose from 10,818 to 17,567.

From 1851 to 1854 the price of wheat rose from 14 francs to 28 francs, the number of condemned rose from 14,678 to 20,442.

From 1856 to 1859, the price of wheat *fell* from 30 francs to 16 francs, and the number of convicts from 18,222 to 14,655.

From 1859 to 1861, the rise in the price of wheat from 16 to 24 francs was followed by an augmentation of the number of convicts from 14,615 to 16,518. And the engraved illustration of the relations of the price of wheat with the numbers convicted in the Criminal Courts, sustains the view of the writer.

We may not expect to find so marked a relation in

this country between the price of wheat and the number of convictions, as labor here is always, and in all parts, in better demand than in France; and while trifling fluctuations in the price of the "Staff of Life," scarcely effect the morals of society, the means of honest livelihood are so attainable, and the resorts so numerous that the price of any one article can scarcely be considered as any test of the security of its owner in its possession. When we consider here the price of food, we must take into consideration the price and the demand for labor. Often when wheat is cheapest, there exists the greatest temptation among the poor to help themselves to the possessions of others. The price, or rather the demand for labor, is here much more likely to connect itself with the crimes of the country, than in the exaltation of the price of wheat. Hard times in Europe multiply crimes in this country, not by making our own people more criminal, but by throwing into our cities immense immigration of criminals from abroad. Without that accession to the ranks of felons in this country, we should in crime, much more than in legitimate enterprise, show the effects of our lack of years. We are certainly not without the record of criminality in this country, border ruffianism, the land-piracy of the south-west, and the ingenious villainies of the cities, have shown our people not without genius to plan and boldness to execute felonious acts; but these plans and their execution have been much extended by foreign genius and enterprise. The crimes take the form, of course, which the circumstances of the country suggest; but in their execution they have the advantage of

foreign discipline and experience, driven hither across the Atlantic by the higher discipline and greater experience, which their prevalence gives to the European police.

We must of course, concede some little weight to the argument, that "poverty is the mother of crime," since the number of detected and convicted poor is in a much greater proportion, than those of the convicted rich. But we must make some considerable allowance for the influence which riches may exercise in preventing conviction. And we must not be unmindful of the fact, that love of felony, a fondness for the trickery, the excitement and risks of crime, keep many in poverty and lead them to *conviction*, when they might with less ingenuity and industry, have acquired competency in honest legitimate pursuits. So that, in their case, it was not poverty that made them rogues, nor in them was there a fulfilment of Solomon's axiom—"the destruction of the poor is their poverty." Their destruction, the destruction of their schemes and hopes came from the relation between fraud and failure, wrong and suffering.

But men do fail in their pursuits without fraud in either plan or execution, and the felon convicted of criminal acts to obtain money, will usually plead his *want* of that which he sought to obtain, and assert that if legitimate means would have procured him that which he sought, he would never have resorted to unlawful acts.

The plea of the culprit is not a valid argument in morals, probably many who get possession of the pro-

perty of others by violence, would forbear that violence if they could obtain the property by lawful means, though it does not appear that such is always the case. Man's wants frequently augment with his possessions, and "increase of appetite grows by what it feeds on." He who when a youth, was content to feed his father's flock, and live by his own industry, no sooner rose into wealth, than he seized the solitary lamb of his destitute neighbor, that he might display hospitality without diminishing the number of his own sheep.

It is the wish for something and not the *want* that leads to crime, and that wish is as powerful in the rich as in the poor, and as often leads to crime, not always to exposure. The temptation to arrogance and over-reaching is in wealth, the temptation to pilfering is most in poverty. Solomon desired to be delivered from wealth lest he should become arrogant; and to be spared from poverty lest he should steal. But arrogance is not the necessary fruit of wealth, nor stealing the certain inheritance of the poor.

Then, why are the rich arrogant? and why do the poor steal? Wealth and poverty are co-relative terms, and the idea represented by either is not positive. There seems, in this country to be no standard by which to measure popular wealth. When a million was considered a large possession, a wealthy man in New York in a spirit of philosophical consolation to the less fortunate, remarked, that he did not think that much money was necessary to comfort, he had no doubt that the man with half a million could be as happy as a rich man. And the miserable object who finds a

shelter in a barn on an inclement night, looks forth upon the storm with feelings of commiseration, for the *poor* wanderer who has no such retreat.

Yet millionaires will exist and be envied; nay, so much public good may result from the very means by which great wealth is acquired, that one scarcely envies the man who has obtained it even while he lives; and so much good often results from the disposition of his hoarded million, especially after his death, that men forget the triumph of his acquisition, and wonder that he had not died sooner that the benefits might have been earlier dispensed.

One cause of the crimes which multiply around us, may be found in the growing indisposition of young persons to seek their living by regular daily labor; and it is perhaps to be added, that this indisposition is encouraged by parents, who have themselves acquired a respectable position by constant devotion to their trade or occupation, but who, think it an honor to themselves to rear their children to some learned profession, or place them in some position where the head and not the hands must do the work. All the learned professions are crowded by these aspirants, who have no vocation for the duties of the place, and the mercantile ranks are overcharged with young aspirants, who have no taste for the economy of trade, and no talents for the enterprise of commerce. The error is discovered too late to send the unsuccessful one to employment in which he might have done his duty to society, and so he hangs useless at last upon the community awaiting for something "to turn up," something to offer, and snatching at proposi-

tions that offer momentary relief, but which too often involve him in some disreputable combination, and ruin his character, and drive him to more obvious misdeeds.

We have shown by quotation that in France the price of wheat is the true criterion of general morals, that is, with the class that finds its way into the lower Criminal Courts. Ten francs advance on the price of a bushel of wheat, sends seven thousand men to prison beyond the number that were convicted before the rise. With us the increase of convictions in our Courts does not appear to have any relation to the price of bread, and strong as it may appear, not even the price of intoxicating liquors is chargeable with the augmentation. In France it is the man and woman who working steadily cannot earn enough to buy their daily bread at the augmented price, or those who willing, cannot find work, that yield to the terrible temptation and steal, that find their way into the prison and swell the proportion of prisoners to the price of wheat. In this country it is the unwillingness to labor, the indisposition to set down to the drudgery of regular employment and earn bread honestly that swells the criminal list, between which and the price of wheat there is not the least relation. Cessation for a demand for labor might lead to a multiplicity of felonies, but the demand for labor never ceases in this great country, or a famine might induce the poor to steal that daily bread which would come neither by labor nor prayer, but there are no famines in this land.

Wheat at two dollars a bushel invites the laborer to a richly compensated toil on the extensive grain



fields of the West. Wheat at one dollar a bushel creates a demand for labor in the cities.

This country is full of enterprises, some of them must be hastened on, and the price of labor goes up with the necessities of the undertaking. When labor by any mutation in commerce or manufactures seems in less demand, new enterprises spring up encouraged by the cheapness of labor, and employment is at once supplied to those who would rather work for their bread than steal it.

Dislike of steady work then is one of the evils of the time, and that which leads to violence and theft. Some indeed, love to hang about their old haunts, where they would work if they had employment, but they are too inert to accept an offer that calls them to a distance, and so they sink into vice. We need a reformation in these matters, and that reformation must begin in the estimation in which labor is held. Industry is needed, willing, cheerful industry. There will always be some evil ones for the devil to tempt, but we need not have a race of idlers to tempt the devil.



## THE ARMY AND THE NAVY.

We elsewhere speak of the causes of vice and crimes that abound in the country and abroad. These general causes operate, in their particular way, at all times and in all places, but not alike at all times, nor in the same direction, in all places. But there are times when cer-

tain crimes abound where previously they had been noticed with what may be called a fair average with other offences. Of late the reports from all parts of the country show a vast amount of conviction for felonies and offences against the person. Members of the Society visiting the Penitentiary, were struck with the great number of young men sent to the cells of that Institution; and on conversing with them, in the discharge of their duties as visitors for the Society, it was found that a large portion of these new convicts were returned soldiers. Further inquiries showed that the same proportion of soldiers to the whole number of prisoners was to be found in the County Prison. The subject seemed so important, that the Society was induced to institute inquiries abroad. In the first place, by a Committee of their own number. That Committee made a partial report, which shows that great industry was exercised, and much information was received. We subjoin the report, which will be found interesting, as showing the establishment of Prison Societies in other States, as well as proving that the army and navy have supplied a large number to the list of prisoners.

*Report of the Committee to Inquire into the Causes and Circumstances relating to the rapidly filling of our Prisons, &c..*

Since the appointment, your Committee have taken some steps, through written communications, to obtain information on the subject. A member has visited all the Penitentiaries, and most of the jails of the principal cities of ten States of the Union, including the District of Columbia; and after consulting with the influential men of each place respectively, the conclusion is come to, that the move which has been made by this Association was well timed. After communicating

the object which induced the inquiry, it was found that good men in every place were prepared for the work of forming Prison Aid Societies. Some had already entered into the work ; preliminary meetings were held, and committees were appointed to carry into effect the organization of societies in the following principal cities, viz ; Wilmington, Del , Wheeling, W. V., Columbus, Cincinnati, and Cleaveland, Ohio, Michigan City and Indianapolis, Indiana, Jackson and Detroit, Michigan. At Joliet, Illinois, there has been formed, near two years, an Association admirably covering the whole State, their Governor presiding ; they have hearty co workers in Chicago. Also, at Baltimore, Md., there had been a Society for some years, but partially suspended during the war, is now renewed. Some care has been taken at Washington, D. C. by one or more, who will give it renewed attention. At Jeffersonville, Indiana, and Louisville, Kentucky, individuals have taken it in charge, and will report their success. At Pittsburg, an Auxiliary Society is partially formed, which is doing much good ; have been instrumental in reforming the County Jail, and have appointed an Agent similar to our own. At Harrisburg, also, there is a partial organization ; one of the leading men, Dr. Ray, gave it as his opinion, that a circular, addressed to Auxiliaries and corresponding members, stating clearly the objects in view, would have a good effect at this time ; which sentiment we feel free to indorse and recommend. We find in many places a growing belief that these associations are calculated to exert an influence beyond mere local aid ; that a correspondence may be had with kindred societies in every place whereby there may be collected and concentrated at some central point, an amount of information to be published which may benefit every civilized country ; cherishing a hope that prisons everywhere may, in time, be so conducted that they may become Reform Schools as well as places of punishment for crime, it is thought that something further may be effected by the Committee if it should be continued. To illustrate the foregoing, we give the result of the enquiries made at one jail out of many. In visiting all the prisoners on the ground floor, in their separate cells, at Cincinnati, there were found to be thirty four, twenty-six of whom had been in the army or navy—mostly young men who professed to have had early religious training, one of whom gave his views in this language : “ The association in the place has a very demoralizing effect ; the young men

say their credit is gone ; no one to advise or encourage ; in fact feel deserted by all except those who are on a lower level than themselves, they therefore plan for a future life of dissipation.

On behalf of the Committee.

JEREMIAH WILLETS,  
GEORGE TABER,  
JOHN J. LYTLE.

In addition to the Committee, whose report we give above, the Society felt at liberty to call on some of their corresponding members for information on the points under consideration, and the Hon. J. Pringle Jones promptly replied with regard to the Prison in Reading, the place of his residence. Our readers will probably recollect Judge Jones' valuable contribution to the amount of information in the Journals of last year.

JAMES J. BARCLAY, Esq ,

President Prison Discipline Society.

DEAR SIR,—The Circular of the Society was received on Saturday last. Having prepared a blank, I went to the County Prison this morning, and went into the cells, where I obtained from the prisoners the answers which are embodied in the accompanying paper. I interrogated 41 prisoners, of whom I found that there were

Single persons,	-	-	-	32
Married “	-	-	-	8
Widower,	-	-	-	1
				<hr/>
				41
Under 15 years old, -	-	-	-	3
From 15 to 21 years old, -	-	-	-	15
From 21 to 35 “	-	-	-	9
Above 35 years old, -	-	-	-	14
				<hr/>
				41

Natives of Pennsylvania,	-	-	-	-	-	25
Of other States,	-	-	-	-	-	5
Of Europe,	-	-	-	-	-	11
						<hr/>
						41
Persons who could read or write,	-	-	-	-	-	36
Persons " read	-	-	-	-	-	4
Persons who could do neither,	-	-	-	-	-	1
						<hr/>
						41
Persons who had served in the army or navy,	-	-				27
Persons who (being now 17 years old or less at this time)						
were too young to have served,	-	-	-	-	-	10
Persons who were above the military age,	-	-				2
Persons who were below it and might have served,	-					2
						<hr/>
						41

From this it results that very nearly every prisoner who could have been in the army was in it. But the number of prisoners is not greater than it was before the war.

The population of Berks County, by the census of 1860, was 93,818, of which 497 was colored. Of the 41 prisoners, one was a colored man. That gives a prisoner for every 2288 of the population, convicted or not convicted.

I note that there are 12 prisoners held for burglary. Nine of these were engaged in one offence, three in another. Of these burglars nine had *not* been in the army, one had been as a drummer, one as a teamster, and one as a soldier; the whole party was very young, some of them mere children.

Yours, very truly and respectfully,

J. PRINGLE JONES.

*Reading, August 7, 1866.*

The hope of the Society was, that these young men from the army and navy, who had fallen into a violation of law, which made them prisoners, had not sunk deep in the mire, and that timely interference might save many of them from a repetition of the unlawful acts. Certainly there is little hope for them without some such interference; and the remarks of the young men in Cincinnati show how hopelessly the poor fellows think their own case. It is hoped that a new interest will be taken in the situation of these young men throughout the country. We know that special efforts in their behalf are put forth in the Penitentiary in this city."

It may here be noticed, that the observations of regular visitors to the prisons confirms the idea entertained by the active members of the Society, viz., that most of those young men who had reached the prison from the army, seemed more accessible to kindness and good advice, and more willing to enter upon a better course, than those who brought them to the felon's cell. And thus encouraged, many who take a deep interest in the condition of prisoners, have felt encouraged to seek the pardon of some of these soldier and sailor convicts. And it may be added that, all other matter being satisfactory, the Executive of this State seems to have had pleasure in extending clemency to the class of men who had risked all for the nation. Though many prisoners that have been in the army and navy have been pardoned with the knowledge and by the aid of some member of the Society, it is not known that one of them has returned to the crimes which followed his service in the army, and preceded his residence in Prison.

## VISITORS.

It is consoling to the friends of humanity to see female visitors enter the cells of the guilty, and confer with them as with erring and unfortunate sisters. This requires a peculiar discipline of mind, and some gifts that few can boast. There is a repugnance felt by women generally to any association with the *bad* of their own sex ; and often those who are in care of the female prisoners, hear from visitors of that sex, the exclamation—"Oh ! I would'nt for the world go into the cells with such prisoners." Others look along the cells, and in upon the occupants, without feeling at first the character of the place, or its inmates. Conversation through the wicket, creates often a respect for the mind of the prisoner, and for a time all idea of crime is forgotten. When the wicket is closed there is sometimes a conversation like the following between female visitors and the attendant Officer or Inspector.

*Visitor.* That seems to be a very good young woman?

*Inspector.* She behaves well, and she knows the proprieties of life.

*Visitor.* I am quite interested in her, so young—so good looking, and so well informed. I would like to see her often.

*Inspector.* We all feel interested in her, and hope that in spite of her previous conduct, she may be saved for usefulness.

*Visitor.* Why what was her conduct. What is she here for?

*Inspector.* Her conduct certainly could not have been good, or she would scarcely have reached this place. She is imprisoned for theft.

*Visitor.* Oh dear! what, a thief? Did she steal?

*Inspector.* Yes, that often connects itself with a life of impurity.

*Visitor.* Shocking—let us pass on to another. I do not want to see any woman of such a character.

*Inspector.* But my friend the next and the next, are no better. Women are not sent to this house for any particular virtue, and if it is only the unfortunate good that awaken your sympathy, you will have little exercise for kind feelings in these cells.

That conversation really took place, and when the little party descended to the cells on the ground floor, they saw a "Lady" sitting on a small bench, listening to the recital of a Bible lesson by a black woman, whom she had taught to read.

*Visitor.* How kind in that lady, to go into the cell of a negress.

*Inspector.* Yes, she has spent many days in that kind of labor, when she might have enjoyed them elsewhere with her ample means.

*Visitor.* But the colored woman—what brought her here?

*Inspector.* A dissolute life, and a robbery.

*Visitor.* And that lady goes into the cell with a dissolute black thief! She must be good.

Those who visit Prisons with the hope of doing good



to the prisoners, must approach them closely, gently, confidently. They must win confidence by confidence, and they must insure resolutions of good, by showing they believe that resolutions of good may be formed, and can be kept.

The feelings which were manifested by the "Visitor" just noticed, are those most common. The labors performed by the lady in the cell, (just referred to,) are most rare. Still more rare are persistent labors, and an undisturbed round of visitation, that is kept on the day appointed, as true as the day comes, visits towards which the expectant prisoner looks with constant thought, for which she longeth, "as the hireling longeth for the shadow."

From these "labors of love," from these visitations of gentleness, from these exhibitions of forbearance, from these repressions of personal repugnance, from these manifestations of sympathy, repeated week by week, come the benefits which the prisoner derives from the companionship of the virtuous.

No Pharisaical parade of superior sanctity annoys the convict, she understands that her visitor regards her as a human being, and a sister, and in a little time the difference between their circumstances ceases to be a bar to the reception of instruction, till a better sense of right takes possession of the mind, and a sense of duty to God follows a comprehension of the violated duties to society.

Of the many visited in the course of a year in the Female Department of the County Prison, a small number may be regarded as reclaimed. Some do indeed go

forth, and meet the temptations of life with a firm and successful resistance. Others are sent where the temptations to wrong-doing are few, and they succeed, especially if in the selection of a place, regard is had to the temptation by which she is most likely to fall.

Hundreds leave the Prison in the full promise, and probably with a strong resolution to do wrong no more; but they have no means to avoid the place, or the companions of early associations, and they return to their vices and to Prison.

Some, by the assistance of humane persons procure situations which they fill with credit, till in an evil hour they meet some prison associate or some former acquaintances—and yield to the solicitation to share the social glass—the first glass is the signal for another, and the whole work of reform is destroyed, and moral destruction ensues. We need the faithful visits *to* and *in* the cells, and we need some one to take the discharged convict as she leaves the door of the Prison, and conduct her where the temptation to relapse shall not be too strong for her new and untried resolution.

What the female convict needs is the evidence of hope in the visitor. Deep sympathy and such gentle familiar instruction as will secure attention and perfect comprehension. Talking through windows or through wickets, reaching the hand through an iron grating will not be a good commencement; such intermediate objects are always suggestive of the unpleasant part of the prisoner's condition, and preclude perfect yielding to advice or steady listening to conversation. The female convict often exclaims when her kind visitor withdraws

from her cell, "I forgot I was a prisoner while she was talking to me, and it seemed almost as if she had forgotten that I was a convict."

One quarter of an hour of gentle association with the prisoner in her cell, face to face without the intervention of grates or door, will produce more effect than if for whole hours "the voice of friend or kinsman had *breathed through her lattice.*"

What the discharged convict needs is some home where her faults and their punishment should not be generally known, where delicacy would be exercised with regard to the past, and where confidence and comfort might not be disturbed by excessive caution, at least by the constant evidences of suspicion. We must plant before we can hope to harvest, we must trust before we can be assured of improvement, we must compel the convict to earn all she gets before she gets it; but we must allow the discharged one a little credit—some anticipation of profits by way of capital, it is an investment that amply repays the supplier and enriches the supplied.

The patriarch saw in his vision a ladder reaching up to heaven, and angels were ascending and descending—shall man refuse to the cast down and the lowly the means of coming up to the paradise of his confidence and his rewards? He too, may aid angels to descend.

"Give me, where I may stand," said the Syracusan philosopher, "and I will raise the world." Give the philanthropist some spot upon which to use his lever and he will do more. He will settle and quiet the world. He will bring peace to the disturbed mind, and holy re-

solves where passions have ruled and ruined. He will make no compromise with crime, but he will render compromise unnecessary, because he will show the deformity of iniquity. Vice is not likely to cease, nor crime to be driven from the earth by human agency, but if a few human beings are lifted from the slough of iniquity and washed into newness of life, if the persuasive powers of kindness can bring the fallen into repentance, and the vigilance of constant sympathy sustain the repentant, has there not been found some where to stand more permanent, than that prayed for by Archimedes? Has there not been applied a lever more potent than the Syracusan ever wielded? To raise the world were something indeed, but to raise a debased human being above the world is infinitely more.



## SYSTEM.

When we look over the Annual Reports of the Directors of Public Prisons in France, Great Britain and Ireland, we are struck with the evidence of an established system for the management of the penal institutions of those countries. And in France and Ireland we see the evidence not only of a system of management in each prison, but of a plan to add to the value of incarceration by connecting the various grades of prisons and transferring classes of prisoners from place to place, according to the character of their offences,

and especially, in consideration of their conduct as prisoners.

In Ireland the whole system of prison discipline may be regarded as the best in Europe, because it looks to the improvement as well as the imprisonment of the convict, and because it provides jails with discipline; but discipline accommodated not so much to the character of the offence as of the improvement which each convict has manifested as a prisoner.

We see there the prisoner followed from the hour of his conviction to the moment of his discharge by the ministers of the law, who punish with *certain* severity every infraction of rules, and who watch with constant solicitude the conduct of their charge, that they may discover and encourage, and finally, reward every evidence of efforts to improve.

It is not in one prison that the rule is applied, nor in one prison that the rewards are conferred, but the improving convict whose conduct for a fixed period has been of a kind to meet a certain standard, is transferred to another house where greater liberty is enjoyed, (or less restriction imposed,) and where he meets with others who like him have made some advances in the work of amendment.

With a view of setting forth the Irish system, we copy the following from a pamphlet entitled "Journal of a Third Visit to the Convict Gaols, Refuges and Reformatories, of Dublin and its neighborhood, by the Recorder of Birmingham and his daughter," in July, 1865.

As some of our readers may not be acquainted with the system pursued in the Irish Convict Gaols we briefly describe it. Imprison-

ment therein is divided into stages, subdivided into classes; the Convicts working their way upwards by industry and good conduct. The first, or Penal Stage, is passed by Convicts of both sexes in Mountjoy Prison. The able-bodied laborers when ready to enter the second stage of their treatment are transferred to Spike Island, in the Cove of Cork; the aged and weakly, and those whom it is otherwise expedient to employ as artizans, were formerly sent at a corresponding period to Philips-town, but in consequence of the great decrease in the number of Convicts, this and some other of the gaols they occupied have been closed, and they now remain at Mountjoy until they have passed through the second stage. From this stage, the Convicts, whether at Spike Island or Mountjoy, work their way into the third, called the *Intermediate*; a stage passed by the artizans at Smithfield Prison, in Dublin, and by the laborers at Lusk, where they inhabit iron dwellings erected on an open common. From Smithfield and Lusk they pass into freedom, generally on ticket-of-leave, as the license to be out of prison is usually called. The same system, with some modifications, is pursued with the female Convicts. All pass the penal and second stage at Mountjoy. For the third, the Roman Catholics are admitted to a Refuge, attached to a Convent at Golden Bridge, in the suburbs of Dublin, and the Protestants to one in Heytesbury Street, within the city. They must have earned a ticket-of-leave before they can be thus received.

It must not be assumed that all Convicts reach the highest stage or earn a license. But those who through idleness and other ill-conduct fail to do so, must nevertheless, under our present system of *time-sentences*, be discharged, at whatever stage they may happen to be found, the moment the sentence has expired.

We do not copy the above, nor do we refer to the working of the system in Ireland, because we entirely approve of it, but rather because it is a system, and because it works so much better than any separate action which preceded it in that country. The reader will notice that whatever may be the character of the discipline in the penitentiary and jail, whither the convicts

are first sent, these men as they advance and earn favor are sent to establishments where they associate with each other and labor in common. We have no time now, nor have we space at present to express our disapprobation or approval of such a system. We may say, however, that some of the best visitors in France in giving up a part of their objections to "separate confinement," profess to retain opinions favorable to this associate imprisonment as a reward for good conduct in the convict. We may say "if so much good results from separate confinement at first, if such benefits follow the separation of prisoners in the first part of their imprisonment, how is it likely that association near the close will be conducive of good?" Here one great benefit resulting from separate imprisonment is declared to be the fact that the discharged convict is not liable to be exposed by his fellow-convict, who, though he occupies a cell for years within twenty feet of him, knows nothing of the name, character or imprisonment of his imprisoned neighbor.

The Irish reports all speak of the great advantage of separate confinement, but it is evident that a want of properly constructed prisons is the cause of the subsequent association of convicts; and the fact also, that in association they may earn their living, and cost the tax-payers nothing for their support, is undoubtedly taken into consideration in the arrangements to which we refer.

The Journal of Mr. Recorder Hill, shows that great good has been effected by this conditional and limited liberty granted to convicts, as a reward for unexceptional

conduct in the various grades of prisons through which they pass. And he adduces the testimony of many manufactures and agriculturists to prove that most of the men and women who pass through these stages of imprisonment, become useful laborers or servants, and are trustworthy.

The system includes the Reformatories for boys and for girls, and these are divided also, into Catholic and Protestant. The former generally under the care of Sisters of Charity or some other religious order.

One remark of Mr. Recorder Hill, evidently is worthy of note, viz., that none of these Reformatories have as many children as formerly, owing to a diminution of cases of crime.

The great and the good results of the Irish system are from the system, and its careful close administration. No Governor, keeper or assistant understands his duty to be limited to keeping the prisoner in. No more than would a teacher regard as a full discharge of the obligations of his profession, the retaining of his pupils a certain number of hours each day; prisoners and pupils are placed in the respective positions to learn to be, and to act, better.

It is a part of the experience of those who have been convicts, that with all their resolutions to do good and avoid evil, and with the persistency of resolution and action in the right direction, they have not been able to withstand the allurements or the threats of a fellow convict who may have discovered their retreat, and envied the success of their virtuous resolve. Conversations with returned convicts, show that the renewal of



their imprisonment was less due to the depravity of principles, than to the weakness of their resolves—less to the insincerity of their wish to be good, than to accidental renewal of association with those who knew them in a former imprisonment. So obvious, so frequent is the “surprise,” that poets have used it as a theme for their verse, and the dramatists have founded some of their most touching efforts upon the effect of the recognition of a vicious man, on the conduct of a repentant ex-prisoner.

So effective for mischief is this element that it extends to the lower classes of offences, hundreds of women sent to prison for drunkenness, will tell a visitor or the Inspector that they were doing well enough, and redeeming all their pledges to temperance and propriety, till they accidentally met with some former co-tenant of their cell, one who unrepentant had no confidence in the profession of repentance in others, and all good resolves are thrown to the wind by a ridicule upon the contrast of present professions with former doings. A woman, whatever may be the character of her previous offence can easily resist the argument, and even the ridicule of a man; but she is most vulnerable to such shafts from enemies of her own sex.

Herein lies one powerful argument against associated imprisonment, during any part of a convict's sentence. It is true that the statements from Ireland, do show some instances of reform among those who are permitted to associate near the close of their sentence. We are informed of the evidences of permanent reformation, especially as it is said that these “ticket of leave men”

hasten to cross the Atlantic as soon as they can find means.

In a country where the difference of ten cents in the price of a bushel of meal or a bushel of potatoes, causes a rise or fall in the moral thermometer, and still more where felony is most severely punished, we may expect that many find their way to the convict cells of the Prison whose morals are not deeply depraved. Hunger! hunger at home, hunger with wife and helpless children, and a sense of willingness to work if work and pay could be supplied, may be admitted by some poor men whose poverty is their destruction, as an excuse for violation of positive commandments, and the punishment and dealing of a Criminal Prison may work out a repentance, which no subsequent event can disturb; but where crime is the result of idle habits and fixed debased principles, there is less hope of repentance and more fear of unfavorable association.

We are not now attempting an argument upon the great question of separate confinement, not even of the relaxation in favor of those who may have earned favor by punctuality and propriety. We may find time and space for both of these questions in a subsequent number of this Journal; but one point we wish to consider established, and that is, that even a poor system well executed, is better than a good one poorly carried out.

And it is to the praise of France and Ireland, that they have a system. We know this by the statement of their proceedings, and it is to the credit of the prison management of both countries that they labor on a system, and that every part of their prison arrange-

ment has a distinct dependence on other parts, and is necessary to the whole. As that is the great thing needed in this country, we applaud the execution when it is manifest, and wish that where there is such fidelity in the execution, there was a perfection of system.

Let any one who has time to examine the working of the system in the Eastern Penitentiary, think what would be the benefit to the Commonwealth if that system was applied to all the Penal Institutions of our State, and each made accountable to the Commonwealth, as in Ireland and France.

The system or principle upon which the Eastern Penitentiary is managed is undoubtedly the best in the world; and we believe that it is conceded that that system is, in that Institution admirably, not to say perfectly administered; and we notice that in all public investigations of the situation and management of Prisons abroad, it is confessed that the separate system is that alone upon which the hope of reforming convicts can be founded.

But there are two systems that we desire to see perfected in this State, and, indeed, in every State in the Union.

One is, that of discipline, such as is practised in the Eastern Penitentiary in this city—separate confinement and steady, unabating firmness and mercy blended; and we desire to see this in every prison in Pennsylvania. The labors of the philanthropist and the moral teachers at the Penitentiary, are often rendered fruitless by the evil principles which the convict acquired or which were strengthened in the County jails, while he was awaiting

trial. But the system which we have applauded as existing in France, or England and Ireland, and especially in Ireland, has relation less, in the first place, to the discipline of the prisoners, than giving the full direction of all the prisoners in the State to some officer, or superintendent, whose duty it should be to receive the return of affairs in every prison, and once at least every year, to see that the situation of affairs at every prison, and the discipline, and all circumstances conform not merely to the statement but to the laws which create the office of Superintendent, and prescribe the rules for the government of the prison.

We have dwelt on this matter at great length in our former Report; but it is one of those measures so essentially necessary to a proper direction of prisons, that we feel it a solemn duty to keep it before the public, while we cannot doubt that, sooner or later, it must be adopted,

Among the inconveniences which the advocates of the "separate" system meet, are the opinions and efforts of a large number of philanthropists and public men abroad, who, having adopted in a true spirit a plan for alleviating the miseries of prisons, are more concerned to give permanency to their scheme of amending existing systems, than to adopt at once a plan that only needs adoption and prosecution, and demands no amendment.

Some good must follow the humane efforts of the good to improve the condition of the prisoner. Some prisoners have so thoughtlessly violated the moral law and the statutes of the State, that reflection and kindness soon bring them to repentance; and thus cases are

adduced as proof of the good operation of a particular system of prison discipline, when they are only rare evidences of the success of gentle suasion—proof of the good effect of the mode of dealing with prisoners adopted by this Society ; profitable in spite of the system in which this mode is introduced.

We hear from all sides of the success in this or that State or nation of the treatment in the congregate system. The success at best seems to be found in the least cost to which the community is subjected by their maintenance. Or, as in Ireland, the success of the relaxation of the separate confinement system, and the issuing of "ticket-of-leave," that is the right to go out and work under the surveillance of the police, seems to be founded on the fact, that these men and women do not return to the penitentiaries whence they were conditionally discharged. But the great fact, a fact which concerns the good people of this country, is concealed, or not dwelt on, viz., that this ticket-of-leave person acquires a little money by honest labor, and comes to America ; and then there results another fact of vast importance, viz., that these emigrating ticket-of-leave persons, whose absence from European prisons is adduced as proof of the value of the system by which they obtain their ticket-of-leave, come to the United States, and many of them find their way into our prisons and penitentiaries.

If the credit of the European system of prison discipline rests upon the facility with which convicts can be sent out of the country to the United States, it may be doubted whether humanity or true policy suggests the adoption of such a plan *here*, as the rogues who visit

this country fear their ticket-of-leave at home, and there seems to be no other good-natured people who are willing to make their country the *refugium peccatorium*.

We contend for *a* system; and what strikes the eye of the general observer in the various systems of congregate and *remittent* imprisonment is the working of a *system*, not the entire success; and undoubtedly much good has been affected by the improvement in prison discipline under the system to which we refer, more good, perhaps, than the best and most humane effort could procure without a system; but the true system applied with the same persistency would produce incalculable benefit that can never be approached or hoped for under these patched-up plans of improving bad systems.

---

## MEMBERS.

A society of such antiquity as is ours is likely to have a full share of those who have the claims to glory which are sustained by the "hoary head;" and it is a beautiful exhibition of the levelling influence of true philanthropy that our meetings show a profitable mixture of the old and the young. The deliberate propounders of plans and the willing active participaters in execution. And in the agencies which we have established for the acquisition of a true knowledge of the state of our prisons, the old and the young have gone forth together

and agreed in the execution as they did in their formation of plans.

Among those whose names death has withdrawn from the list of members was Matthias W. Baldwin; he was not an active member, but a willing contributor, and his position as one of the Inspectors of the County Prison, afforded him an opportunity which he promptly improved of assisting the good work of alleviating the miseries of prisons.

The officers of the Society are unchanged. It is a source of regret that the first Vice-President, William Shippen, M.D., has suffered a permanent injury, which precludes the hope of a renewal of that usefulness for which the Society and humanity itself, were so much indebted to him. Like some others he must learn to direct his efforts into channels that are accessible, and where they will not fail of utility. Something of the wonted results may be missed, but nothing can deprive him of the gratitude of those who have seen, and of those who have felt his labors; nothing certainly can separate him from the delightful consciousness of having tried to do his duty in a sphere that lacks much of the attractions which distinguish some of the paths of philanthropy. And if the great have not recognized the benefit of such exertions it will be found that "the least of the little ones" has been blessed by labors which only God and that little one could appreciate.

Age and its infirmities are coming over others of the *acting* members of the Society, though they are yet *active*. But whatever of hindrance these natural causes may produce, they diminish no zeal and as yet they

weaken no efforts. Some are willing to do all for the cause in which they are engaged, not to hesitate, not to falter, but to "die in harness." Experience will of course teach all that the harness must be suited to the man as well as to the work, and prudence will suggest that portions must be laid aside that the other part may be useful—it is bad indeed, to fall without preparation, but it is terrible to smother from the thickness, or to be crushed by the weight of, the armor. Labors will be lightened and posts relinquished so that the abilities and powers of the agent need not be wasted upon a multitude of objects, when they could be abundantly useful if limited in their application.

It is not the augmented number of undertakings which procures benefit and entitle to honor, they often only tend to divide and divert the powers of action, the merit consists in limiting enterprise to the means of execution, in securing results by the full use of energies. "Whatsoever thy hand findeth to do, do with thy might."

---

## PROPOSED MATTERS.

### HOUSE OF CORRECTION.

Among the objects proposed by the Society and earnestly advocated by its members collectively and individually, is a "House of Correction" for the detention of vagrants and others committed on charges less than misdemeanors. This subject has been from time to



time before the public, and has for some years past only required an appropriation of funds by the City Councils, to ensure the erection of a House of Correction, equal to the wants of the community. The idea has been revived in Councils without immediate reference to the existing Act of Assembly; nothing has yet been definitely concluded with regard to the proposition, but certainly the public look for some action from the Councils. We wait the action with hope and with patience.

CONSTRUCTION OF PRISONS.—So much depends on the plan and construction of prison for the proper development of the system of administration, that we feel constrained to say that most of the old structures intended for the imprisonment of offenders were unfit for any such purpose, and we are sorry to add, that many of the recently built County Jails have little to secure approval, excepting perhaps, a façade. The interiors in many cases are little better for prison purpose than were those of a hundred years since. The idea of cells where prisoners may be retained and imprisoned seems not to exist, or at least, only to exist as an idea. It is true, that the laws of the State direct the exhibition of the plans of prisons to the Secretary of the Commonwealth for approval, and it may be equally true, that the plans of some of these new prisons have been seen and approved by that officer, but it is not certain that in the qualifications which the Governor of the State sought in the citizen whom he intended to make Secretary of the Commonwealth, he ever considered his ability to judge

of the adaptation of prison plans to the purpose of imprisonment. If he did, he must in the course of a few lustres past have discovered some mistake.

This idea is of importance, if in a well constructed jail there should be manifest some error in administration, that error may be corrected, and probably will be, when fully pointed out. But where the funds of a county have been liberally expended in erecting a prison which proves to be *unadapted* to the purpose for which it was constructed, it is scarcely likely, that another expenditure will be incurred merely to suit the views of those who wish to mend the bad, when their *punishment* seems to be well provided for.

INSANE.—We must not allow the occasion to pass without calling attention anew to the yet unsettled state of the duties which we owe to the insane criminal. It is a lamentable fact, that human beings deprived of reason suffer more in the way of consequence for any violation of law, than do the sane in the way of punishment, and it is to be feared that the *disease* of insanity is augmented and perpetuated in the poor, by the infliction of imprisonment, when the ministration of science in an asylum might have restored the sufferer to reason and society. Even though the unhappy one be irreclaimably insane, it seems a disgrace to the community that he should be treated like a criminal, and shut up with those charged with felony. It is a wrong even to the sane man charged with felony, that he should be made the companion of lunatics while he is awaiting the action that may prove his innocence.

The whole subject of lunatics with regard to the prisons of the State needs legislative attention, and policy and humanity suggest early action.

---

## CONCLUSION.

Satisfied by long experience and careful observation that the system of separate confinement advocated by the Society, and practised in the Eastern Penitentiary in this city, is the best, if not the only plan for improving, as well as punishing the convict; it will be the duty of the Acting Committee to seek and use all proper occasions to recommend that system wherever the offender against the laws is to be incarcerated.

Believing that direct moral dealing with the prisoner is essential to the great end of imprisonment, the Society will continue to send their members on missions of goodness to the cells of the incarcerated.

Knowing that there are modes of address by which the convict may be best approached, they will recommend prudence as an accompaniment of the generous zeal that moves the visitor; and while they cannot in the spirit of the Society and in the conscience of philanthropists, interfere with the dogmas of faith in which the convict was reared, and to which, spite of his crimes he is attached, the Society will see that such an attachment be respected, and that opportunity for particular instruction be afforded, and that the prejudice of creed be not wounded to the injury of morals.

Knowing how weak are all resolves formed in distress, against the temptation of bad associates and of utter

want when there is liberty to choose the evil as well as to avoid the good, the Society will continue its efforts to place the discharged felon in some position where he may be out of the reach of immediate want and the temptation to return with his associates to his former crimes.

Knowing how difficult it is to labor in any work that has for its object a public good, without the aid and countenance of the public, the Society will be cautious that their proceedings shall not be liable to censure for unchastened zeal, or immoderate philanthropy; and will in the future as now, appeal to the public, for that support to which, by its motive, action and objects, it may show itself entitled.

Deeply sensible that however earnest or persistent may be the efforts of the members of the Acting Committee, those efforts must fail of success in proportion as they fail to receive the smiles of an approving Providence, the Society will endeavor to maintain the spirit of true philanthropy in which it was formed and by which it has been conducted; and pledging itself to continued devotion in the work of "Alleviating the Miseries of Public Prisons," it will seek for the approval, and hope for the blessing of Him who first sent consolation and peace into the cells of the incarcerated Apostles, and then released them from chains and the prison.

All which is respectfully submitted.

JAMES J. BARCLAY, *President.*

Attest,      JOHN J. LYTLE,  
                 EDWARD TOWNSEND,      } *Secretaries.*

*January, 1867.*

## JOURNAL OF JEREMIAH WILLITS.

The Report of a Committee, is usually a statement of all that each member thereof did in the business committed to them. We give in another part of this number, a short but deeply interesting Report from a Committee, on the subject of the cause of the vast increase of convictions. The Chairman of that Committee, Mr. Willits, having leisure, gratified his own feelings, and the wishes of the Society, by pursuing his inquiries beyond the limits of the walls, and making personal inspection of a large number of Prisons and Almshouses, and stirring up liberal minded people, to good works in the direction of the construction and management of Prisons and Almshouses. We subjoin the plain and most satisfactory statement of our Colleague.

---

### JOURNAL

*Of a Visit to Prisons and Alms Houses in Kentucky, Ohio, Indiana, Illinois, Michigan, Iowa, &c.*

At a stated Meeting of the "Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons," held Twelfth month 21st, 1865, the Committee on Discharged Prisoners of the Eastern Penitentiary of the State of Pennsylvania, presented a report which was read as follows :

In our visits to the newly admitted prisoners within the last three months we find ninety-eight; sixty-seven of whom are from the country

jails; of the whole number fifty nine have been in the army or navy; of the twenty-eight last admitted, eight-tenths are of that class, on whose account our feelings have been deeply enlisted—they appear to be nearly all first convictions. In conversing with them it is admitted that the moral hedge has been weakened by the army associations and practices; through the frailty of our common nature and want of *moral courage* they have fallen. It is a painful reflection that men who have periled their lives for the stability of our Government should be brought into this situation, some having long sentences.

It is a suggestion whether something cannot be done to alleviate their condition. When we reflect that every State in the Union has contributed its quota to this class, and that they have been returned there respectively to be disbanded, it is reasonable to suppose that all of the State Prisons in the Union will make a similar exhibit to our own.

Most of these are young men who in their separate cells removed from the surrounding influences which have led them astray, have their early associations and domestic ties revived in their mental vision with feelings of renewed tenderness, presenting an opening for the Christian philanthropist to call their attention to the spiritual warfare, inviting them to enlist under the Banner of the Cross of Christ the Captain of our Salvation, who was never foiled in battle, and who will lead on to victory.

We feel constrained to suggest to the Acting Committee that a committee be appointed to take the subject under consideration in order to digest some practicable plan of communication with individuals who reside within the limits of each State Prison, whose feelings are prepared to enter into the labor; whether it be through the Inspectors, Wardens, &c., or the religious community which surrounds them or the whole combined, as they in their judgment may propose in order to carry into effect the greatest amount of usefulness.

JEREMIAH WILLITS,	}	<i>Committee.</i>
GEORGE TABER,		
JOHN J. LYTLE,		

On motion of Joseph R. Chandler, it was resolved that a committee of seven be appointed to take into consideration whether any and if

any, what measures can be taken to ameliorate the condition of the discharged soldiers and others, now confined in the prisons throughout the country. Jeremiah Willits, Philip P. Randolph, George Taber, William S. Perot, William J. Mullin, John J. Lytle and Charles Ellis, were appointed the committee.

JOHN J. LYTLE, *Secretary*.

#### FIFTH MONTH 24TH, 1866.

Left Philadelphia at eight and quarter o'clock, A. M., an accident to the locomotive prevented getting to Wilmington in time for meeting. Spent the remainder of the day after dining with our kind friend Samuel Hillis, in calling on friend Rittenhouse, (introduced by our friend John Wetherell, Jr.) and several others; lodged with William Tatnall, was introduced by him on the 25th to the Mayor, Joshua Maria, who was very obliging, and accompanied me in examining the Jail, which is in the basement of the Mayor's Court House and office; it has no surrounding area to keep dry the walls, the floor is of brick, which also, with the side walls, absorb the moisture from the ground. The windows open on the street, giving free access to outsiders. The prisoners have no work, no books, nothing offered to them to encourage a reform or raise in them a feeling of self-respect; not a bed to lie on, nor straw to shield them from the damp paved floor at night. The lash, the stocks, &c., are their appliances for reform.

Found the Jail at New Castle a good one, much like our own, well ventilated. water closets, &c., cleanly kept. The first prisoner visited had been four years in the army, was regularly discharged; his father a Methodist, carefully brought up to attend the Sabbath School, &c. His propensity for bad company was increased by army association. In cell No. 13, name William, age twenty-eight years, single; followed driving an engine in a steamboat; no work here. The 2d. Alfred, was over one year in the army; attended Sabbath School regularly until going in the army; got with some fellows who were in the army, and received some articles and money from one of them who had stolen them from John H. Price's mill. Was living with his mother; on coming out of the army and meeting his associates there, did as he had not been in habit of doing; cooper by trade, and lived with his brother; sentenced six months. Cell 28, age 22.

Benjamin, went to Sabbath School up to the time he went in the army; served four years, honorably discharged; learned his bad habits from his army associates; was in his father's store, Wilmington. His mother a Methodist, keeps his cell neatly. 4th. A carpenter; liquor and bad company; burglary; five years; age 32; from Baltimore. 15th. cell, James. 5th. William, was nine months in the army service; slightly wounded; honorably discharged; mother a Catholic; went to Sabbath School four or five years; laborer; larceny; another boy gave the box, &c. to him, and he got the blame, sentence one year and six months; lives in Wilmington with his mother; is 19 years old.

6th. Was in the army three and half years; honorably discharged; age 30. John, father in Wilmington; moulder and laborer; single; larceny of a watch; attended Sabbath School five or six years. His drinking habits increased after going into the army; lived with his aunt; sentence three years; no work.

7th. William, an old man, sentenced for one month for larceny. Fully one half have been in the army, within the last year many of them left who were charged with petty offences, none appearing against them. Whole number of men now in Jail, thirty-one, and three women.

Geo. S. Hagerry, Sheriff, Clayton Platt, Daykeeper, Joseph A. Vining, Nightkeeper.

26th. Visited the Poor House a mile out, accompanied by A. Rittenhouse and John Flinn, the latter one of the Trustees. He was appointed presiding officer of the newly formed Society for alleviating the condition of prisoners. The Poor House is ample, well conducted and ventilated. The Insane Department is a credit to them; pay patients are sent to them, and they have successfully sent out many cured. City encroachments have already drawn their attention to the necessity of a removal to a greater distance from it. Left for Baltimore in the afternoon, stopped at Barnum's Hotel. 27th. Went home with R. M. Janney, who took me in a stranger, gave me meat and drink, and visited the prison with me on the 28th. He has been associated with others for some years to aid prisoners. The breaking out of the war partially interrupted their organization. They have kept up their Sabbath School, and intend to resume their attention to



prisoners generally. Their City Jail is a costly and secure one, on the separate system, but not strictly carried out; they have a small library; no work or regular system of instruction. The number who have been in the army largely prevails; many of them have had early religious instruction. A few have been sentenced for short terms, some as vagrants, &c., the others waiting trial. In this jail it is evident that there is less feeling of penitence and sorrow than in the penitentiary where they realize their fallen condition, and receive the sympathy and kind attention of visitors with expressions of gratitude; (had very laborious work.)

29. Visited the Poor House in the morning; it is exceedingly large and ornamental, parlors, reception rooms and officers rooms, out-top most of the first class hotels; but while they have lavished the City funds for outward show, they have not neglected the appliances for the health and comfort of the inmates. The ventilation is admirable, the foul air is carried by conductors downwards from the rooms into pipes leading into the bottom of a tower or foul air shaft in the vicinity of a large steam engine, the object of which is not only to do all the cooking, washing and heating of the establishment, but to rarify the air in the shaft by introducing the smoke and waste heat into it, thereby giving action to passing off the foul air of the whole place. The sexes are separated having separate stairs and yards. The insane are provided for with large separate buildings, one at each end, the sexes separate, with competent physicians.

Took cars at three o'clock, for Washington; called on the Hon. I. Newton. He made my visit welcome; informed me he had associated with others to devise a plan for the reform of juvenile offenders, a large number of whom he had found congregated together in their lock-up associated with old offenders, whereby they were schooled in vice: that the authorities of Washington had given them a large lot of ground with old temporary buildings, which they were converting into a temporary House of Refuge. While discussing means by which to raise funds, whether to solicit private subscription he suggested an application to Congress for an appropriation for that object, and appoint Commissioners to carry it into effect, which was adopted, and Oliver Oldschool, N. S., himself and others were appointed, and an appropriation of twenty-five thousand dollars made. He seems favorably dis-

posed toward our concern of forming themselves into an association for the aid of prisoners. Lodged with him, received his kind attention on the 30th. After showing his experimental garden, introduced me to J. Dennis, who accompanied me to the jail. The doors were opened and free admission granted by the authorities. In their crowded condition with no work or classification, there seems little prospect of reform. They were generally respectful, took off their hats when I addressed them. They receive occasional visits, with the distribution of tracts from my friend Dennis. He introduced me to the Mayor, who gave me a pass to visit the Poor House to-morrow. Stopped at Joy's boarding house, corner eighth and P. A. street. 31st. Accompanied by Jonathan Dennis and the wife of the brother of T. Sharpless widow, rode out to the Poor House. It is well adapted to the purpose, well ventilated, but the war has deranged things with them. One-half of the building is occupied as a City Prison under the direction of the Mayor and the same officers who conduct the Poor House. A fatal disease was among them, a fever of high type; they were separated in tents; the apartments generally not so cleanly as they should be. Made an effort to enlist into the prison service such as feel an interest in the welfare of prisoners. Met with two Methodist and one Baptist minister; they freely offered their aid.

Sixth Month 1st. Called on several; one venerable looking Methodist minister said he could supply any number requisite for the service from his local preachers, &c. The way opened clearly and an assurance given of an early organization; Jonathan Dennis consenting to be our corresponding member. Took cars for Wheeling, West Virginia, arrived there the evening of the 2d. Called on the Mayor and Sheriff for permission to visit the prison, which was readily obtained; put up at the Grant House, a quiet place which I needed after the hardship of a day and night travel in a car of rickety order; I hope it may die of the disease before my lot is cast there again. 8d. Too weak to visit the prison in the morning, deferred it till after dinner, which turned out to be a happy hit. The officer there an intelligent Welshman, informed me there were a few men who had volunteered to instruct the prisoners on Sabbath afternoon, at three o'clock, which I attended. Their speaker was energetic, fluent and correct, and the matter well adapted to the occasion. They feelingly entered into our concern, and

appointed to-morrow morning, at nine o'clock, to meet in conference on the subject of organizing. (My health materially improved.) After the regular services were through toward the prisoners, I briefly stated the object and operations of our Society, the recent increase and class of prisoners which had induced our Society to make this move. They might perceive our interest extended to every class of prisoners, yet circumstances alluded to had given renewed impulse to our feelings and action. We felt an interest in knowing how many had been in the army; we made no distinction between Rebel and Union—Christ died for all; that if they were willing I had a wish that all who had been in the army would hold up their hand, which was promptly complied with, and the count was thirty-one, about one-half the number of prisoners, although not all then present; then they were requested by the same token to answer whether they had in early life had religious training by parents or guardians, in attending Sabbath Schools, &c.; about the same number of hands were up, but not all the same persons; the friendly shake of the hand and expression of some of their good intentions for the future made the occasion an interesting one. Built in 1837 to 1839, for Ohio county; the Legislature made it a State Prison; it is on the congregate system; the Sheriff is elected by the people; he appoints the Jailor, giving him fifty-five cents per day for each prisoner and house free; there are accommodations for sixty-six, including convicted, untried and debtors; sexes separated; association not prohibited at night; no employment at this time; benevolent persons furnish books, and the prisoners teach each other. There is a volunteer religious service; fed three times a day except Sabbath; straw bed with blanket in winter; the physician paid by the State; no insane, they send them to the State Lunatic Asylum. Elizabeth-town, Marshall county, has offered ground for the erection of a penitentiary, and the Legislature has appropriated fifty thousand dollars for the first year. 4th. Was introduced to Arthur J. Boreman, Governor of Western Virginia; he approved the plan of forming a Prison Society, would give his aid heartily; a plain unassuming person. At nine o'clock, met with nine of their ministers; one lay member, who has the whole of the charity embodied in himself, but his successors when he is taken from works to rewards, should be appointed to perpetuate the charity, and they are appointed. There was a united approval of

forming such an association, and they presented me with the following copy of their minutes.

At the weekly preachers meeting of Wheeling and vicinity, held on the 4th of June, in Methodist Episcopal Church, Fourth street, Wheeling, the following action was held with respect to the organization of a Society for alleviating the miseries of public prisons: 'Resolved, that a committee of three be appointed to draft a Constitution, and nominate suitable officers to organize a Society 'for alleviating the miseries of Public Prisons,' to report at our next weekly meeting.

On motion brother Samuel Stute was appointed corresponding Secretary *pro tem*.

Wheeling, June 4th, 1866. F. Ball, Secretary. Names of the Committee appointed as above—Dr. A. Martin, J. L. Clark and Saml. Stute.

Called on Dr. Todd, President of the Board, who gave me the following account of the Poor House: A poor old building, erected some forty years ago; room for 50 paupers; managed by ten overseers, elected yearly; they elect a steward, allowing him \$2 50 per week for each—no trades—fed three times a day—food good. The insane sent to the Lunatic Asylum, except two chronic cases—no special provision for such. A Physician employed by the county; expense of the establishment from 4 to \$5,000. Their outside poor exceed that amount.

Started for Columbus, Ohio; the night air was imprudently let in the car, which renewed my cold; arrived at Columbus, Ohio, after midnight; took lodgings at the Goodall House. 5th—unwell; not injured by early rising. Had an interview with Hon. Judge Bates and John Hough, director of State Prison; offered to accompany me and assist. I found it necessary to lay by, and try to recruit. My time of recruiting is occupied in bringing up my notes, and writing letters. My friend H. Kimball called, took me to his hospitable home, and his dear Eliza, like a kind ministering angel, effectually relieved me of a most violent attack of my throat affliction, caused by renewed cold from night travel. 6th—Called on C. A. L. Richards, with a letter of introduction from the United States Sanitary Commission. He offered material aid. Introduced me to Governor J. D. Cox, who gave me an open letter, requesting all concerned in Prisons, &c., to render me all the aid they could, in accordance with the rules of their Institu-

tions. He approved of the proposition to organize a Prison Society ; would give it his encouragement Called at the Sheriff's office. The deputy accompanied me through the County Jail of Franklin County, which is new, and on the congregate system, conducted by the Sheriff at 50 cents per day for each prisoner ; the County Commissioners and Grand Jury supervise it ; will accommodate eighty ; there are no females ; they associate in divisions, and classified without employment They have books from the Township Library ; have good beds, &c. ; a regular physician every day ; number of prisoners twenty one. The Insane are sent to the Poor House, where ample accommodations are provided. Ironing and the dungeon are resorted to for punishment, and little boys are associated with 18 adults, 14 of whom had been in the army and navy, all waiting trial. Waited till court adjourned ; had another interview with Judge Bates ; he again assured me of his co-operation, and referred me to their Chaplain, whose course he would endorse.

Returning to dine, I found a note from friend Richards, saying he was about to leave the city ; could not further aid me, but named others who he thought would. Here I felt some depression of feeling—two days nearly gone, and little done. My kind friend Kimball took me in his carriage to the Penitentiary ; was introduced to their new Warden and the Chaplain, Albert G. Byers, who conducted me through the 13 acre factory of various articles. The effect of his teaching was admirable. Through tender forbearance, yet firmness, subdued the stout heart. We soon found a tender cord binding our feelings together. Found the cells poorly ventilated, through the grating of the doors into the corridor. They have separate cells, in which they are placed at night, and on Sabbath days on the silent system ; congregate at other times. There are 1,000 separate cells can accommodate 1,100 prisoners ; the sexes separated ; are employed in various kinds of manufacturing ; a library furnished, and one hour each day for literary instruction, making use of prisoners as monitors ; religious teachers are supplied ; provision good in food, &c. A regular Physician ; number now in Jail, 850 ; 32 females, 150 colored ; terms of sentence average from 2 to 3 years. Insane, 25 ; 2 females,  $\frac{1}{2}$  colored The arrangements for treating these are superior to any which I have seen in any Penitentiary ; separate apartments of open iron work. Punishment

dark cell and bread and water ; about 75 per cent have been in the army, of recent admissions. In the evening Albert J. Byers called at my room ; our interview was cordial, like kindred spirits drawing from the same fountain ; he assured me of aid, and would try to get a meeting in the morning. Light seemed to dawn, and I said I thought I should sleep better from what has passed between us. It was the best night's rest since I left home.

7th, Refreshed for work ; was introduced to Judge Swan and others in favour of organizing a Prison Society ; agreed to meet on the subject at two o'clock. My friend Kimball took me to the Poor House ; Superintendant M'Ilvane gave the description. The Poor House of the city of Columbus and Franklin county was built in 1834 ; will accommodate 135 ; they are now erecting an addition of 83 feet by 37 feet, making room for 200 ; a good supply of food, &c ; no sickness or death ; three Directors are elected by the County ; they employ a superintendent, salary \$600, and living in the house, and a Steward at a salary of \$365. The inmates work on the farm. 47 incurable insane : no special arrangement for their improvement. When asked the cause of pauperism, the uniform reply is whiskey. A Physician visits daily ; they had a pest house, where there are now small-pox patients, &c ; was shown a woman upwards of 100 years old that her mother died there 13 years since, aged 118. A number of little children, some the offspring of girls following the army, the youngest 3 weeks old. The meeting appointed for 2 o'clock was respectable in numbers, and highly so in moral and religious standing.

Preliminary meeting held at Columbus, June 7th, 1866 ; Colonel G. D. Harrington was appointed Chairman ; Messrs. Burr, W. W. Pollard and Early, were appointed a Committee, to draft a Constitution, and Geo. D. Harrington corresponding member. Little did I conceive of the public spirit manifest in Columbus, their large scale of liberality displayed in their public buildings, and their many institutions for charity.

8th—Arrived at 11 in Cincinnati. The shade of character unmistakable here, so differs from that at Columbus that it produced the thought—which is to give tone to the future morals of the country, whether the downward grade of a great commercial and manufacturing city, or the moral and religious atmosphere which surrounds the political metropolis.

Called at the Mayor's office ; got a permit to see the prison ; letters from Philadelphia ; made myself acquainted with Robert W. Burnett, who was President of the United States Sanitary Commission. He introduced me to Charles Wilstach, formerly from Philadelphia, who keeps a book store. Called on A. E. Chamberlain, who had so many engagements made it difficult to act ; had an Irish dignitary, Rev. Dr. M'Cash, with him, whom he had to accompany in visiting their institutions ; the hour of 9 was concluded on to meet on the morning of the 9th ; visited the City Jail before 9 o'clock. Cincinnati City Prison is an old temporary building, supplied with strong 6 feet by 5, and 6 feet high iron cages ; sexes separated ; they are about building a new Jail ; the City Council have the direction, and officers paid as policemen ; the prisoners do sundry jobs for the police ; missionaries furnish books weekly ; volunteer religious service every Sabbath ; a Physician employed to visit daily ; number, 40 men, 75 women, insane 3 ; rum cases, one-half recent admissions have been in the army ; expecting to leave in the 4, P. M. boat for Louisville, Kentucky ; at the hour appointed for meeting received a note from our friend Wilstach that the meeting could not be held before 4, P. M., which defeated my wish to go in the steamer at that hour, but the result of the meeting made amends.

The following minute was made : Cincinnati, June 9th, 1866. At a meeting held in the Clifton House, to consider the propriety of forming a Prison Discipline Society, Mr. R. W. Burnett was called to the chair, and Dr. Edward Meade was appointed Secretary. After a statement of the working of the Philadelphia Society, by Jeremiah Willits, it was resolved to appoint a corresponding Secretary. Mr. Burnett was appointed to the office. Meeting adjourned subject to a call for further consideration. Edward Meade Secretary. Present, Robt. W. Burnett, E. Meade, M.D., C. G. Comegeys, M.D. ; W. H. Massey, M.D. Several necessarily absent. I availed myself of the time before the meeting in visiting the County Jail ; I visited all on the lower floor in their separate cells ; theirs is the separate system, and so peculiarly constructed they cannot see each other, yet no restraint on their conversation, which makes it a Babel of confusion. Of the 34 visited 25 had been in the army or navy ; their youth, early training, &c., corresponded to the condition we find them in our own Jail and

Penitentiary, and all others visited ; their Jail has a central building, with open spiral stairs in centre, with 3 corridors commencing wide, and narrowing to the width of two cells, giving it a star shape on the ground plan. A prisoner here gave me his views of the effect of the treatment of prisoners there. Dr. Patterson Ong said the association in the place has a very demoralizing effect. The young men say their credit is gone ; no one to advise or encourage, in fact feel deserted by all except those who are on a lower level than themselves ; they therefore plan for a future life of dissipation. The prisoner, No. 23, on my list of examinations at the Cincinnati Jail, presented a fine man of gay appearance, with a profuse display of gold. Surely a great man has fallen was the first impulse ; but no, he was the keeper of a bawdy house ; had not been in the army. His aim appeared to be to talk me out of countenance with his obscenity. I said to him that our Creator had implanted in us this principle for the perpetuity of our race ; he had also given us reason to control our conduct, that we may not place ourselves on a level with the brute, and sensible men had made laws for the same object ; then left him to fill the blank at his leisure.

Although the day's labor had been excessive, concluded to take the night train and a sleeping car at \$1 25 extra in order to recruit my weary self. Being in an upper berth, the gentle starting was not dissimilar to the dandling of the knee to sleep ; but when under way, more like the thumping over a newly made turnpike ; had hardly become accustomed to the motion, when at 12, midnight, was aroused and invited to take another extra car at \$1 50 ; protested against the imposition, but no remedy ; arrived at Louisville at early dawn.

10th—Called on the Mayor, J. L. Lithgow, who lived in a large, elegant house, with furniture to correspond ; large side yard, and iron fence front ; I took a refreshing breakfast with him ; called to see J. Edward Hardy ; he had gone to Sabbath school ; met with the Mayor after dinner at his office, but failed to get in the prison, owing to the refusal of the keeper ; small official dignity. 11th—Met the morning meeting of Methodist Ministers, who gave to our concern a kind consideration, and suggested a call of the Pastors of the several denominations, to be held at 10 o'clock, A. M., on the 13th, as being the most likely to give efficient aid ; notices were accordingly sent out, being aided by our kind friends, J. Edward Hardy, and W. H. Buck-



ley; the latter sent out the notices; renewed my application to visit the Jail; found that dignitary less exacting, and even friendly after the ice was broken.

Lewistown Kentucky Jail, old and condemned on the congregate system; the Jailor elected by the people for four years; he gets 75 cents per day, for boarding prisoners. The Grand Jury of criminal Court visit six times a year; there are 75 prisoners, 15 women; the separation of the sexes not complete; no teaching of any kind, except volunteer, nor employment given; bedding furnished by the county, also a Physician. Three-fourths have been in Army or Navy; heavy irons are used, say 20 lbs., and dungeon—never whip a white man

They have a lock-up, (emptied every morning by the Police.) Workhouse and a House of Refuge—'Am trying to discipline myself to make haste slowly—A. M., visited the City Almshouse; found little to commend, much room for improvement; the men lodge in one garret mostly having to pass by the female sleeping rooms to reach it, whose doors are left unfastened. Louisville Almshouse, 14 years old, will accommodate 200, average number 150; City Council elect three Trustees, Superintendent and Physician; Superintendent's salary \$700; Matron \$200, and board expenses paid by the City; no trades—4 insane—no special provision for such—no Infirmary—where they are taken sick they are nursed; the arrangement bad for separation of sexes. P. M., visited the Workhouse a little out of the City, adjoining to back part of Cave Hill Cemetery in a low rocky ravine, where the inmates are employed in breaking stone, for McAdamising their streets, curbing and building purposes. They work in gangs male and female together, without strict regard to modesty in covering. When brought into line, and the word march was given, the clanking of the chains and heavy irons revealed the lowest degradation which I ever witnessed. One of them a little boy hobbling under his weight of iron. The sleeping apartments low and small, one bed nearly filled the room, on which 4 had to sleep; with a grated wicket in the door of nearly one foot square, and a small opening on the back of the cell as ventilation. I felt an interest in the management of such an Institution, as our City is making a strong move in the direction of establishing one. We need not go far to find the dark corners of the earth, wherein are the habitations of cruelty. 13th. Met at the time and place; Walnut

street Methodist Meeting House at 10 o'clock ; the meeting proved almost a failure ; present, two Methodist Ministers, one German Reformed and our friend W. H. Bulkley. The supposed reason for the others absenting themselves, was, the division in feeling which had existed during the war, was not yet removed ; they felt a hope that this being a work in which all could harmoniously labor, would have a tendency to unite them in other things which pertain to the advancement of our common cause of Christianity. Having spent three days here, and not realizing the full success as at other places, yet there is ground for hope that action will be taken by the Young Men's Christian Association, whose labors have been suspended during the war, and is about being revived. Those present were appealed to that they should give their aid to the renewal, and in bringing the subject fairly before them, W. H. Bulkley consented to be a corresponding member ; Louisville is a large trading City ; their large buildings and charitable Institutions are a credit to the place. It is built on an extensive level plot of ground, the streets wide and cleanly, McAdamised with limestone, the ornamental exterior coloring of their buildings is drab ; not deficient in modern architecture ; population 150,000, some say more ; passed over to Jeffersonville, Indiana, with a letter of introduction to J. H. McCampbell, who referred me to J. M. Sullivan, Moral Instructor of the State Prison. He is a Methodist Minister of kind manner, and tender feeling ; agreed to meet him in the morning at the Penitentiary ; stopped at the Bruner House.

14th. Repaired to the Penitentiary, was introduced to the Warden ; accompanied through the buildings by the Moral Instructor. They have separate sleeping cells of small size, with no ventilation but the grated entrance door, some of the female cells are neatly decorated. Every prisoner, except the term be less than a year, is allowed \$15 on leaving the Prison, unless he has drawn on it while there. The Moral Instructor agreed to call a few of his friends together in the evening for further consultation.

Called on the Mayor John Ware, he gave me a rough plan of a new City Jail now being built, which is on their old objectionable plan. The females to occupy the upper tier of cells within hearing, and conversing distance of each other. I pleaded with them sometime until my stammering tongue becomes untied to plead the cause, and call there is

for every one to work zealously for the reform of our penal and reform houses. They are now so conducted in most places, that instead of being reformatory in character, are schools for vice; our Jails being filled rapidly with our youth, who, at a tender age, have been demoralized by army association, are now taking lessons of each other, and of those older in crime. Is it not a fair conclusion, that if men sleep and do not raise a hand to counteract this growth of evil, with the influence of foreigners of a like class, that crime will out-crop the good seed, and the Nation hastened to a more severe scourge than it has yet witnessed.

My friend John W. Sullivan called in the evening to say that he had met a few friends, and conversed on the subject of an Association being formed for the prisoners aid. They had come to the conclusion, the local prejudices now existing, render it an unfit time for such an organization; but wish the subject to be kept alive, with the hope, that, at some future time it could be effected. Was willing to be a corresponding member, and would communicate to us their future action.

Jeffersonville Indiana Penitentiary, erected 15 years; congregate system adopted. Three Directors are appointed by the Legislature, and they appoint the other Officers and Warden, with a salary of \$1,500, and house furnished; the Moral Instructor \$800. Association not prohibited; the work in extensive manufacturing of Agricultural Implements, by steam power; have a regular school in the winter—school and preaching every Sabbath; a Physician daily; 357 prisoners, 17 females, 26 colored; two insane white men, no special arrangement for such; their dungeon out of use; no punishment but the cat o' nine.

15th. Arrived at Indianapolis, called at the Governor's office with a letter of introduction; was not in; his health infirm; had recently returned from a tour to Europe; on that account 9 o'clock was named by his Secretary to meet; called on the Sheriff; got permission to visit the City and County Jail; a disgrace to any people; Indiana, Indianapolis, Marion County Jail, erected 12 years; congregate and social, the Sheriff lives in it, and employes a turnkey. He has 75 cents a day for boarding prisoners, and 90 for admission and discharge fee for State prisoners; some are employed on the streets; number of prisoners 70; eighteen women; no appointed religions or literary instruction, sometimes books have been given; a Physician attends when sent for; one insane man, not having special arrangements for such, they are sent to

the Asylum, sometimes, but rarely shackles are used for very unruly ones; eight cells for each sex, 9 feet square, four to six persons occupy one when crowded; ventilation poor, air foul; soil buckets carried out.

Called on James M. Ray, a feeling tender spirited man; he agreed to meet me at the Governor's office at 9; he proposed the name of Jacob S. Willits, to aid us, found him intelligent and kind; he would also meet us at the Governor's.

16th. An interesting interview with the Governor, O. P. Morton, he voluntarily offered the use of his name in furthering the object which met his approval, gave me an open letter, requesting all Prisons, &c., should be opened to me by the respective Wardens, &c; my kind friend Jacob S. Willits, seems to be really a right hand man; had had experience in acts of benevolence, both in Freedmen's Association and Refugee Aid Society, which makes the work easy for him, knowing his men to call upon for a meeting at 4 o'clock P. M., at the office of the Young Men's Christian Association.

The meeting was very satisfactory; in attendance were Ministers of several denominations, and others who expressed more than an approval of such Association as was proposed; the Society being partially organized, adjourned to meet again on the 18th, at 8½ o'clock A. M., at the same place.

17th. Attended morning and evening meeting; our kind friends Jonathan and Drucilla Wilson, took me in their carriage to the Poor House, which has been erected 20 years, the addition 4 years, and will accommodate 100. The Superintendent has \$1.50 per week each, for boarding them, in addition to the profits of a 100 acre farm of good land, with paupers labor to work it. He furnishes the house with every thing, and stocks the farm. When a successor takes it, the whole is estimated by Commissioners; there are 22 insane, out of 75 inmates; no special arrangement for their treatment; a Physician visits once a week.

18th. Repaired to the meeting, which organized by appointing James Blake Chairman, Jacob S. Willits Secretary; after an open and full expression of unity, and an interesting speech from the corresponding member, which evinced enlightened views on the subject, worthy of being extensively circulated; a committee was appointed to draft a Constitution, viz: J. Blake, J. M. Ray, Rev. F. C. Halladay, J. S.

Willits and Col. Harper, and Col. J. P. Harper, was appointed corresponding member.

Took the car for Michigan City; stopped in the evening at La Porte, about ten miles out of my way, to make short calls on my relations there; looked into their Jail and Poor House, on the 20th; the Jail a secure one, dry and healthy, but deficient in all the essentials for reforming the criminal. The cells were ventilated by a small opening between the cells occupied by both sexes, and open grating doors to their apartments; there were 7 men, no women. I called on the Methodist Minister Boyd, represented the condition of things there to him, asking his consideration of the subject, and if he felt willing to call to his aid some others, of other religious professions, to occasionally visit there; perhaps some good might grow of it, he gave me to expect he would do so; that he had been in the habit of so doing, when he was stationed at Lafayette. They were young men, mostly of the Army; the importance of employment was manifest. The Poor House is small, has about 40 of both sexes, nearly equally divided; no separate provisions for the insane or sick; all within hearing distance of each other; the noise from the insane, cannot fail to be annoying to the sick; old men and their wives are separated, as I found also in other Poor Houses; the building, with airy rooms, indicated a good degree of comfort. The inmates are employed on the farm; they had an infant giant with six fingers and toes on hand and foot. The Superintendent has a salary of \$460, and a living from the Institution.

21st. Started at 4½ P.M., for Michigan City again; arrived in the evening, put up with my relative Walter O. Leeds, who entertained me with marked kindness, introduced me to D. J. Baldwin, the Moral Instructor, and others. On the 22nd, the Moral Instructor Skinner, sent for the prison carriage to take us to the Penitentiary, which we visited; number of prisoners 168. Michigan City Penitentiary, is on the congregate and silent system; when finished, will accommodate 720, in separate cells at night. Commissioners are appointed by the Legislature, who employ all the officers; there is a complete separation of the sexes; the business at present, coopering and wagon-making; books are furnished by the State, and schools are kept in winter evenings. The Moral Instructor has \$800, salary; a Physician and Hospital Steward, employed; number of prisoners 162; no females, five

colored, two insane, no arrangement for treating such; it is not self-sustaining; the cat is used, and shackles, with over work for breaking rules.

Met by appointment at 4 o'clock a number of Ministers and others, in reference to forming a Prison Society. The proposition was approved of, after discussion, and adjourned until 2 o'clock to morrow afternoon, for another meeting with the view of completing the organization.

28d. 2 P. M., met the adjourned meeting, which organized by appointing Rev. J. Norton, Chairman, and J. W. McCaskey, Secretary; after free expression of opinion, it was resolved, that a committee of five, viz: Rev. Messrs. Skinner, Boyd and Schettler, and Messrs. Wm. Smith and G. D. Baldwin, were appointed to draft a Constitution and By-Laws for said Society; Rev. H. C. Skinner, was appointed corresponding Secretary. Adjourned to meet at the call of the committee, when prepared to report.

Left for Chicago in 5 o'clock train—arrived about 8; put up at the Richmond House; things comfortable and health good. Rode up to my room in an elevator. 24th. In the evening had a call by one of the friends, Willet Dorland, who offered to aid me; would call at 8 A. M. 25th. My friend D. gave his services for the day; visited the County Jail. Chicago Prison has been erected 16 years; will accommodate 100. Now in jail 112—females 18. The Sheriff manages it, and appoints officers. He gets 50 cents per day for boarding prisoners. The Grand Jury visits. No instruction of any kind, except volunteers, who deliver tracts. A doctor, employed by the County, comes when called for. There are 2 Insane; no arrangement for their treatment. The crowded, dark, poorly ventilated apartments, excited a feeling of pity for the inmates, mostly young men, who had been in the army or navy, it was thought at least three-quarters of the number. Called on the Mayor, J. B. Rice, who fully approved of forming a Prison Society; gave the names of several to aid in it, and wished his name added to the list. Called on one who suggested the propriety of opening the concern at the close of the mid-day prayer-meeting of the Young Men's Christian Association, which was done. They said their Meeting was no part of the proceedings of that organization; that they could not take action on that occasion, but proposed laying

the subject before the next meeting of the Board. Not feeling willing to wait, it was not decided on. Then we called at the office of the Methodist bookstore, (I omitted to say, in connection with the above that one of the preachers at the Prayer Meeting, said his residence was in Leavenworth, Kansas ; that he had taken an interest in Prisons there. I gave him a copy of our Report, in order to aid him in forming an Association there on his return); found their President and a number of other Ministers. One expressed his feelings with warmth, having personal knowledge of the condition and manner of conducting their Prisons, but having an engagement at that hour, had to leave; but would meet me there at 8 o'clock to-morrow morning; we then visited their City Jail, an old wooden building, having about 70 cells; well lighted and ventilated, but insecure; cleanly kept; bedding furnished. Many of the inmates were young men and boys; a few old bruisers, particularly among the females, who carried the rum marks conspicuously about them. They number 150 altogether; 50 females; there is Sabbath service attended to by volunteers, when all of both sexes meet in a Chapel for the purpose. The men are partially employed in breaking stone for McAdamising the streets; but what a herd of idle women, literally a squatter settlement.

26th. 3 o'clock; met with E. M. Boring, Methodist Minister, 296 West Madison street, James B. Trowbridge, 7 Custom House place, and H. Crews, 66 Washington street, presiding Elder. Were all willing to aid in any way they could. Wrote a letter to Willet Doring, stating the above, and asking his co-operation and a suggestion, whether he could not call in the aid of a few women to visit at their Bridwell Prison; hoping that after consulting with our friend Lathrope, we might be able to propose a plan for organising there. Took the 4½ train for Joliet. Arrived in the evening; Samuel G. Lathrope, Correspondent, presented a letter of introduction to the Moral Instructor, with whom an interesting conversation was entered into upon the subject; found he had largely considered it, and was pursuing it with enlightened views. Would call for me to-morrow morning.

27th. Received his call; he took me in his buggy to his comfortable home, when and where we traversed the subject fully. He informed me that they had organized a Society near two years since, with their Governor Hon. Jesse O. Norton, President, Rev. Hooper Crews, Vice-President, George Woodruff, Recording Secretary, Rev. S. G. Lathrope,

Corresponding Secretary, Wm. C. Wood, Esq., Treasurer. The officers and nine members elected annually, constitute its Acting Committee, who hold a meeting once in three months; said committee appoint Vice-Presidents in every congressional district, whose duties shall be to appoint Committees in the principal cities and towns, who shall anticipate the coming of discharged convicts, counsel them, and aid in procuring for them boarding places and employment, and be in correspondence with the Chaplain, for the purpose of obtaining the necessary information. I suggested that County Jails and Poor Houses be attached to the duties of District Committees; which met with approval. Visited the Penitentiary; a very ornamental and apparently secure building, founded on a limestone rock, with which the place abounds, it is of a cream color, the blocks and slabs of great size and beauty, and used for the best buildings, fronts, flagging, &c., in Chicago. The prisoners work it for the Warden's benefit, as he is the Lessee of the whole Joliet Illinois Penitentiary, was commenced building in 1857, not yet finished; the silent congregate system, with separate cells when finished. The Legislature contracts with a suitable man for the profits of the labor of prisoners, male and female, and he becomes the Warden, has the whole control, and reports to the Legislature. No instruction of any kind provided, except a moral Instructor, to devote the Sabbath to the benefit of the prisoners. No books, except by voluntary contribution; stone cutting and quarrying the chief business. The finest quarries I ever saw, were there; it would appear that nature had formed the size of blocks for the largest columns, and slabs ready to be taken out, of almost every conceivable size and thickness; the cells, floor, sides and cover, each of one solid stone 8 inches thick.

963 prisoners, 50 women, 2 insane, no provision for such. Punishment, dark cell, lash occasionally, and a stock of manacles are kept; 72 acres of land, 16 enclosed with a wall 25 feet high, 6 feet thick; ventilation good. An armory, and sentry armed, who occupy the towers and other places, which we find in all the Penitentiaries.

After hearing the steps which had been taken here, and assured of the active part now being taken by the Moral Instructor, in order to carry the whole into effect as speedily as may be, I felt satisfied to leave for Jackson, Michigan, on the 9 o'clock train; lodged at cousin Leeds, in Michigan City. 28th. Arrived at 2 o'clock, put up at the Marion



House; called on the Mayor and Sheriff, and Dr. Backus, Moses A. McNorton; the Mayor will call at 8 o'clock to aid me to-morrow; the Dr., also offered his aid, and about the same hour; he is one of the oldest men in the place; David A. Lockwood, the Sheriff, was in poor health. 29th. Was taken by the Mayor to the Penitentiary, stopped on the way, at Dr. Backus', who agreed to call a meeting for 2 P. M. Visited the Penitentiary, a large manufacturing establishment; erected 1838-9; on the congregate silent system. The Governor nominates an Agent, confirmed by the Senate, salary \$1,000, who has the charge of all; built to accommodate 700, with separation of sexes; none allowed to associate at night. They manufacture wagons, boots, agricultural implements, cabinet-work, segars, &c., contracted for by manufacturers with the Agent. The Chaplain has \$550 per annum, who spends the Sabbath and two other days there. A library and some literary instruction afforded; present number 429, females 26—two-thirds of late admissions been in the army—one colored insane man; no special arrangement for such; punishment resorted to, ball and chain, shackles, flogging and dark cell. The Jail old and much worn, the steps and floors so much so, they appear rotten and unhealthy. The County Jail, small and but few in it; been erected 10 years, conducted by the Sheriff, will accommodate 48, number now five; one young woman, no insane, nor special provision for such; prisoners associate day and night, sexes separate; no employment, no books, except by benevolent persons, nor instruction of any kind; ventilation poor.

Being informed that Detroit sent more to the Penitentiary, than any other City or County, was an inducement to go there. At the 2 o'clock meeting, they appointed their Chairman, Secretary and Corresponding Secretary; then adjourned for one week. Got through in time for the afternoon train to Detroit, which I reached in the early evening. Stopped at a temperance Hotel—the Franklin House.

30th. Called on Edward C. Walker and Charles A. Kent law partners, who aided me; gave the names of Dr. Duffield, J. M. Buckley, No. 90 Front street; J. W. Farell, Vice President of the Young Men's Christian Commission, were also interested; Seventh day being a finish up day, made it difficult to get a meeting. J. M. Buckley, the Methodist minister, consented to be a corresponding member, and to pursue the subject in conjunction with Dr. Duffield, who would give

notice to his young men at the close of service to induce them to aid the cause. I visited the House of Correction which made me feel the degradation which our city is subjected to by being behind that youthful State; Detroit House of Correction, Michigan, was built in 1861, and additions are now being made; conducted on the silent, congregate system, with separate cells for sleeping; the Mayor nominates three Inspectors, who are confirmed by the City Council, who manage it in conjunction with him. It is designed to accommodate three hundred and fifty; at present two hundred and ninety; one hundred and fifteen women; ten colored; the sexes separate; they have a Library formed by an admission fee by visitors; a chaplain two evenings in the week for class instruction. Terms of sentence vary from ten days to five years; the insane are removed to the State Lunatic Asylum; a physician visits at the call of the Superintendent; salary four hundred dollars; it is a paying Institution; had a surplus income of ten thousand dollars last year, all derived from chair making in its various branches; women are employed daily from the city to aid, in order to keep up a supply for the demand. The City and County Jail has but few inmates. Cause? The building healthy and secure. Detroit City and County Jail has been built nine years; the Sheriff has the management, and receives forty-two cents per day for board, and seventy-six cents turnkey fees, each; conversation is forbid from eight P. M. till six A. M.; no employment nor instruction except by the chaplain, who officiates on the Sabbath, and furnishes books from private sources. The insane are sent to the State Asylum; their punishment is close confinement; am about to finish as severe a day's labor as need be, by taking steamer for Cleaveland, at eight this evening. Had a delightful passage down the Detroit river; it has strong current; it was said to be four miles an hour; width similar to the Delaware, with a town on the Canadian side corresponding with Camden, New Jersey. The Lake Erie navigation by moonlight had its attractions; the shipping and steamers spread out upon its broad, and at that time placid waters, yet sorrowful evidence presented of the effects of its swelling rage but a few days before, when many of the storm-driven vessels were cast on the shore, and lives lost, male and female, within hearing distance of the citizens; they are about to form a Life-boat Company.

Seventh month 1st. Seven A. M., arrived in their goodly city;

visited the City and County Jails. Cleaveland, Ohio, Cuyahoga County Jail has been built fourteen years, to accommodate one hundred and twenty prisoners; the Sheriff gets three dollars and a half per week for their board, one dollar and a half turnkey fee, for each; the supplies of bedding, &c., are from the County; no employment; one insane; present number of prisoners, twenty-five; more than half had been in the army; sexes separate; a physician paid by the County; the City Jail they profess to empty every day, it should be every night; not even straw to lie on; an appointed meeting in the evening by a travelling minister, Joseph Stanley. I omitted to say in its place, that after the close of the morning meeting, J. Farmer, informed the company of my business; they gave it full approval, and named Asa C. Tuttle, box 2162, Cleveland, Ohio, as corresponding member; he is a minister among them. 2d. Took cars for Pittsburgh; arrived in early evening, too tired to make calls. 3d. Called at the house of John Douglass, D.D., who had gone to Philadelphia; then on Dr. Ray, who accompanied me to see Herrick Johnson, D.D. They were impressed with the need of an association to aid the prisoners of that place; we called on William Frew, who gave me the following report:

JEREMIAH WILLITS, ESQ.

*Pittsburgh, July 3d, 1866.*

Dear Sir—On behalf of the friends of your Prison Discipline Society in this community, I would respectfully report:

That during the past year we have been quietly preparing the way for an organization, auxiliary to your Society; and propose to hold our first meeting during the coming week, of which we will duly advise you. In the mean time some considerable attention has been given to our County Prison: A chaplain has been secured who conducts religious service on the Sabbath, visits the prisoners in and out of prison, and whose duties will be similar to that of your Prison Agent. Arrangements are also being being made and Commissioners appointed to erect an extensive Workhouse an Inebriate Asylum by the County of Alleghany; after which, we can correct the abuses which prevail at present in some of our local prisons.

Yours, &c., WILLIAM FREW, *Cor. Mem.*

I visited the Jail and Penitentiary. The management of the Jail is improved by the present Keeper, but very crowded; 5 or 6 in a small cell. Number 113. Women 15. It is thought that three-quarters of the admissions since the war closed, have been in the army or navy,

mostly young men. The number has increased since 1864-5 from 204 to 331 at present in the Penitentiary.

4th. A tiresome ride to Harrisburg. A sultry evening and explosion of fire-works did not lessen the disorder of my stomach and bowels that night. 5th. Called on John Weir, at the Harrisburg Bank, and William Buehler, Walnut Street Insurance Company, members of their Auxiliary Prison Society. They said there was a jealousy existed between the Prison Inspectors, which had prevented their acting as visitors; that the Keeper also was somewhat unyielding. I had visited the Jail, and conversed with the Keeper; found him exacting, until I showed him the Governor's letter, when he conversed sensibly; thought there would be a benefit in having judicious visitors, of mature age and experience, unlike those who had formerly visited of the Young Men's Christian Association, who rushed in with apparent strife to obtain the first cell.

It was suggested that a circular letter be sent to the corresponding members of every County, informing them of the cause of the present move, and request their aid, with which I approved.

Harrisburg Jail is over crowded. The separate system, and no work; religious instruction every Sabbath morn; books furnished by Christian Association; no other teaching. Keeper gets 22 cents per day for boarding them. There are 70 inmates—16 women. About three-quarters recent admissions have been in the army.

Stopped at Lancaster. The Jail is on the separate system; a Board of Inspectors, elected by the people, employ a Keeper, &c.; pay him 25 cents a day for board, and a salary of \$700, with house accommodations for family. A Moral Instructor, to visit twice a week, and Sabbath teaching every other week. There are 80 cells and 80 prisoners—11 women, 1 colored. Employed in weaving, knitting, basket and shoe making, segars, brooms, &c. The untried have employment, if they choose. One insane colored man; no special arrangement for treating such. Punishment, low diet, ball and chain. The impression with me is, that the number who have been in the army, in every place I have visited, will nearly average 75 per cent. Of recent admissions, mostly first convictions.

I think the foregoing will open a field for reflection which may be more profitable to one who feels an interest in the subject, than any comments which I may make.

# CORRESPONDING MEMBERS

## OF THE

### PRISON SOCIETY.

---

Atlee, John L., M. D.,	-	-	-	-	Lancaster.
Allison, William J.,	-	-	-	-	Burlington, N. J.
Brodhead, William,	-	-	-	-	Milton.
Brown, Rapelas, -	-	-	-	-	Warren.
Bent, Rev. Sylvester,	-	-	-	-	Beaver.
Benedict, A. W.,	-	-	-	-	Huntingdon.
Baker, John A., -	-	-	-	-	Bloomfield.
Burnett, R. W. -	-	-	-	-	Cincinnati, Ohio.
Bulkley, W. H. -	-	-	-	-	Louisville, Ky.
Buckley, Rev. M.	-	-	-	-	Detroit, Michigan.
Conyngham, John M.,	-	-	-	-	Wilkesbarre.
Carpenter, Thomas,	-	-	-	-	New Jersey.
Curtin, Andrew, G.,	-	-	-	-	Harrisburg.
Crozer, John P.,	-	-	-	-	Chester, Pa.
Clark, Samuel D,	-	-	-	-	New Castle, Pa.
Calvin, Samuel, -	-	-	-	-	Hollidaysburg.
Curwen, John, M. D.,	-	-	-	-	Harrisburg.
Dix, Miss D. L.,					
Davis, William, -	-	-	-	-	Stroudsburg
Drinker, Henry,	-	-	-	-	Montrose.
Donalson, John F.,	-	-	-	-	"
Derrickson, David,	-	-	-	-	Meadville.
Douglass, John, D. D.,	-	-	-	-	Pittsburgh.
Dennis, Jonathan,	-	-	-	-	Washington, D. C.

Echroid, Henry,	-	-	-	-	-	Muncey, Pa.
Eaton, S. M.,	-	-	-	-	-	Franklin.
Elder, Cyrus W.,	-	-	-	-	-	Lewistown.
Frew, William,	-	-	-	-	-	Pittsburgh.
Findlay, John P.,	-	-	-	-	-	Mercer Co.
Foster, Henry D.,	-	-	-	-	-	Greensburg.
Fenton, John,	-	-	-	-	-	Johnstown.
Graham, Rev. S. Y.,	-	-	-	-	-	Somerset, Pa.
Gibson, M.,	-	-	-	-	-	Northumberland.
Green, S. Miles,	-	-	-	-	-	Huntingdon.
Hall, John, D. D.,	-	-	-	-	-	Trenton, N. J.
Howe, Dr. Samuel G.,	-	-	-	-	-	Boston.
Hayes, A. L.,	-	-	-	-	-	Lancaster.
Holliday, H. S.,	-	-	-	-	-	Brookville
Howe, John W.,	-	-	-	-	-	Meadville.
Harrington, George D.,	-	-	-	-	-	Columbus, Ohio
Harper, Colonel J. P.,	-	-	-	-	-	Indianapolis, Ind.
Ives, Timothy,	-	-	-	-	-	Coudersport.
Jones, Morris C.,	-	-	-	-	-	Bethlehem, Pa.
Jones, J. Pringle,	-	-	-	-	-	Reading.
Jorney, John,	-	-	-	-	-	Honesdale.
Jessup, William H.,	-	-	-	-	-	Montrose.
Johnson, Samuel P.,	-	-	-	-	-	Warren.
Janney, Richard M.	-	-	-	-	-	Baltimore, Md.
Knight, Dubréé,	-	-	-	-	-	Wilmington, Del.
Kughns, Joseph,	-	-	-	-	-	Greensburg.
Lucas, Charles,	-	-	-	-	-	Paris.
Lesley, James,	-	-	-	-	-	Philadelphia.
Leiber, Francis, D. C. L.,	-	-	-	-	-	New York.
Lott, Charles,	-	-	-	-	-	Lottsville, Pa.

Long, Henry G.,	-	-	-	-	-	Lancaster.
Lee, R. S.,	-	-	-	-	-	Uniontown.
Linn, Samuel,	-	-	-	-	-	Bellefonte.
Little, Robert,	-	-	-	-	-	Tunkhannoch.
Lawson, William C.,	-	-	-	-	-	Milton.
Lathrope, Samuel G., D. D.,	-	-	-	-	-	Joliet Illinois.
McClure, Alexander A ,	-	-	-	-	-	Chambersburg.
Montgomery, Rev. James,	-	-	-	-	-	Clarion Co.
McEnnally, J. B.,	-	-	-	-	-	Clearfield.
McMurtrie, R. A ,	-	-	-	-	-	Hollidaysburg.
Mann, John S.,	-	-	-	-	-	Coudersport.
Mercer, Ulysses,	-	-	-	-	-	Towanda.
Marsangy, Bonneville de.,	-	-	-	-	-	Paris.
Osterhout, Peter M.,	-	-	-	-	-	Tunkhannoch.
Olmstead, A. G.,	-	-	-	-	-	Coudersport.
Paxton, Joseph,	-	-	-	-	-	Catawissa.
Pierson, John J.,	-	-	-	-	-	Harrisburg.
Perkins, Abraham R.,	-	-	-	-	-	Chester.
Penniman, Francis,	-	-	-	-	-	Honesdale.
Pomeroy, Thomas,	-	-	-	-	-	New Castle, Pa.
Perkins, Cyrus L.,	-	-	-	-	-	Johnstown.
Patterson, John S.,	-	-	-	-	-	Mifflintown.
Russell, Zenos H.,	-	-	-	-	-	Honesdale.
Rutton, James S.,	-	-	-	-	-	Beaver.
Roty, Edmund S.,	-	-	-	-	-	Mifflintown.
Riddle, Rev. M.,	-	-	-	-	-	Bloomfield.
Russell, Benjamin S.,	-	-	-	-	-	Towanda.
Rittenhouse, A., D. D.,	-	-	-	-	-	Wilmington, Del.
Sumner, Charles S.,	-	-	-	-	-	Boston.
Smeal, Robert,	-	-	-	-	-	Glasgow.
Sherman, Alfred H.,	-	-	-	-	-	Milford.
Spencer, S. S.,	-	-	-	-	-	Erie.

Sutton, John,	-	-	-	-	Indiana.
Stewart, William M.,	-	:	-	-	"
Stewart, S. Sewell,	-	-	-	-	Huntingdon.
Skinner, Rev. H. C.	-	-	-	-	Michigan City, Ind.
Stute, Samuel,	-	-	-	-	Wheeling, W. Va.
Sullivan, John W.,	-	-	-	-	Jefferson, Indiana.
Tuttle, Asa C.	-	-	-	-	Cleveland, Ohio.
Varrentrapp, George, M. D.	-	-	-	-	Frankfort on the Maine.
Willetts, George,	-	-	-	-	Catawissa.
Willetts, Jeremiah, Jr.,	-	-	-	-	Haddonfield, N. J.
Wines, Rev. E. C., D. D.,	-	-	-	-	New York.
Woodward, Warren J.,	-	-	-	-	Reading.
Walton, Sydenham, M. D.,	-	•	-	-	Stroudsburg.
White, R. G.,	-	-	-	-	Erie.
Walker, John H.,	-	-	-	-	"
Wingate, J. D., M. D.,	-	-	-	-	Bellefonte.
Woods, David W.,	-	-	-	-	Lewistown.
Wier, John A.,	-	-	-	-	Harrisburg.
Young, Rev. Royal,	-	-	-	-	Butler.



NEW SERIES.]

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA  
ASSOCIATION FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONERS"  
INSTITUTED 1787.

JANUARY, 1868.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB  
Printer,  
Nos. 306 AND 308 CHESTNUT STREET  
1868.

# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow-creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

S

NEW SERIES.

crim

NO. VII.

# THE JOURNAL .

c 7

OF

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1868.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, (GIRARD BUILDING.)

1868.

**JUN 24 1927**

**ROOMS OF THE  
PHILADELPHIA SOCIETY**

FOR

**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January.) 16th, 1868, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report) consisting of JOSEPH R CHANDLER, JAMES J. BARCLAY, JAMES M. CORSE, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month, 23rd, 1868, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Stated Meeting of the Acting Committee, held Second Month, 20th, 1868, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYTLE,**

**SECRETARY.**

# TABLE OF CONTENTS,

## WITH AN ANALYSIS.

---

### **REPORT,**

**9**

Regular attendance of members at meetings.  
Constant attendance of the Committees to their duties.  
General effect of their labor.

### **COUNTY PRISON,**

**10**

Labors of the visitors of the Society in the different departments of the prison.  
Moral and physical benefits to prisoners.  
Good results to prisoners from solitude after instruction.

### **FEMALE DEPARTMENT,**

**12**

Augmented number of cells about to be productive of good to the prisoners.  
Religious books supplied to all the cells.  
Small library for general reading.  
Moral and religious instruction regularly given to the women.  
Reading and writing successfully taught.  
Several instances of decided amendment of life among the female convicts.  
Necessity of some refuge for repentant females.  
Number and character of visits to the prison.  
Necessity of having the prisoner alone when instructed.  
The Female Department presents at present a better field for labor than the male cells.



***EASTERN PENITENTIARY. 16***

Visits of the members of the Committee welcome and profitable.  
 Good known to have resulted from labors of the Committee.  
 Statistics of the Penitentiary for the last year.  
 Statistics of the Penitentiary for the thirty-eight years of its occupation.

***SUBJECTS PREVIOUSLY NOTICED, 19***

No changes in the system of police magistracy.  
 Too little attention given to this subject.  
 Drunkenness undiminished.  
 Prosecution of efforts for a prison and almshouse system in this State.

***THE AGENT'S PROCEEDINGS. 21***

Mr. Mullen's labors, and their success.  
 Importance and benefits of his labors.  
 Value of his services to families.  
 Value to the city by saving costs of court.

***AUXILIARY SOCIETIES, 26***

Efforts of the Society to establish auxiliaries.

***CHESTER COUNTY SOCIETY.***

Auxiliary Society formed in West Chester.  
 Report of the Executive Committee of Chester County Society.  
 Officers of the Society, and its Committees.  
 Success of application to have its committees permitted to visit the prison.

***PUBLIC MEETINGS. 30***

Notice of a public meeting by the Society in the hall of the Franklin Institute.  
 Advantages of such meetings.

**ABSTRACT OF REPORT OF MAHLON H.  
DICKENSON.** **33**

Character of his mission.

His appointment.

Connection of Mr. Dickenson's mission with those of a former Committee of this Society.

Mr. Dickenson's report strongly favorable to the system of separate confinement.

Schuylkill County prison regarded as the best in the State.

Reasons for that opinion.

Comments upon the County prison.

Remarks upon almshouses.

Mr. Dickenson's statement of the construction, condition and administration of the almshouses of the State.

His views of the rights and the sufferings of the insane.

What should be done for them.

Expression of hope that Mr. Dickenson may be employed to continue the work so well begun.

Mr. Dickinson's view of responsibilities.

His remarks on separate confinement, or the Pennsylvania System.

**IRISH CONVICT SYSTEM.** **50**

**COMPARED WITH THE PENNSYLVANIA SYSTEM.**

Desirableness of uniformity in prison discipline.

Value of good administration.

Difficulty of adopting old plans to new systems.

Too much delay in improving prison discipline.

No system of construction and management of prisons in this State, excepting the Eastern Penitentiary.

Some exception to separate confinement even in the Eastern Penitentiary.

Notice of the Twenty-Second Annual Report of the New York Association.

**IRISH CONVICT SYSTEM.**

Exposition of the Irish Convict System.

Time to be gained by the convict.



- Officers of the prisons—how appointed, and salaries.
- Statement of the mode by which the Irish male convict diminishes the time of his imprisonment.
- The different stages of his imprisonment and gradation of confinement.
- Treatment of female convicts. It differs from that of the males.
- Remarks of Miss Jellico.
- The Irish convict system compared with that of the Eastern Penitentiary in Philadelphia.
- Remarks upon the charge, that separate confinement tends to produce insanity.
- Effects of recognition upon a discharged improved convict.
- Anecdote of two prisoners from the county prison.
- Is the Irish convict system practicable in Pennsylvania?
- Want of means from various circumstances to carry out the Irish system here.
- Ease with which a ticket-of-leave man could renew and pursue his evil course.
- Circumstances of this country, geographically and socially considered, unfavorable to the ticket-of-leave system.
- Tribute of respect to the New York Report.
- The Pennsylvania System is better than that of Ireland.
- Much of the success of the Irish system results from the mode of appointing the officers of the prison. No party politics.
- The value of a system that is not disturbed by constant changes of administration.
- Much in the Irish convict system is truly valuable.
- But all that is valuable in the Irish system is better adapted to, and more practicable in, the Penitentiary of Pennsylvania.
- The mark system, and gradation of punishment, once authorized in this State, and may be renewed by law.
- Remarks upon the uses of liberty to convicts.

#### DISTINCTION BETWEEN SEPARATE AND SOLITARY CONFINEMENT.

- No solitary confinement in the Eastern Penitentiary.
- What is required in Pennsylvania.
- Difference between an Irish ticket-of-leave man and a discharged convict of the Pennsylvania system.

- The commitments in the Irish Penitentiaries compared with those in the Eastern Penitentiary of this State.  
 Influx of ticket-of-leave persons in our prisons.  
 While some English writers laud the Irish convict system, they declare that separate confinement is the only means of improvement.  
 General advantages of the Pennsylvania system over the Irish convict system.

**FOREIGN REPORTS.****85**

- Notice of the Prison Reports of England and Scotland.  
 Separate system lauded.  
 Religious and moral instruction given, and full reports made to the national government.

**FRANCE.**

- System well administered.  
 M. L. Bonneville de Marsangy.  
 Mr. M.'s system of prison discipline in his Essay.  
 While he proposes partial congregate imprisonment he lauds separate confinement.

**OBITUARY.****90****WILLIAM SHIPPEN, M. D.**

- Vice-President of the Society.  
 Character of his charities.  
 The nature and usefulness of his labors.  
 Action of the Society in regard to his memory.

**FREDERICK A. PACKARD.**

- His general worth and usefulness.  
 His sufferings and death.

**CONCLUSION.****97**

- What is desired.

**LIST OF CORRESPONDING MEMBERS.**

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T.

---

The Society for Alleviating the Miseries of Public Prisons has continued its labors for another year, and now places before its members, and the community generally, a statement of its proceedings, and an illustration of its views upon the great subject of prison discipline, and of the questions that are connected with that branch of social science.

The meetings of the Society have been attended by the usual number of active and sympathizing members; and the various committees have acted upon the subjects submitted to their care with accustomed devotion; and the Society has continued to make itself felt in the construction and the administration of some prisons in the State, and its good counsels and teachings are acknowledged where they have been allowed influence, and remembered with severe self-reproach where they have been neglected.

## COUNTY PRISON.

The County Prison in Moyamensing continues to be a field of the labors of the Society, though the crowded state of the cells has rendered direct personal access to the prisoners less easy and profitable than it was when no cell contained more than one prisoner. The moral and spiritual instructors who have gone to the prison, especially to the parts allotted to the male prisoners, have carried on their work, of course, with less advantage; and, perhaps, some of our visitors have been deterred by the discouraging circumstances under which they are called upon to labor. Yet some have labored and done good in the very direction in which they were sent, consoling the suffering, soothing the irritated, calming the disturbed, and leading the thoughtful to resolves of amendment.

Nor must it be supposed that these are all the fruits of the labours of the committees even of this Society in that prison. The frequent intercourse between the visitor and the convict, and the gentle influence of moral suasion beget a confidence in the visited that makes him truthful and familiar toward the visitor, and thus the circumstances of the convict's family, and even his personal history, and immediate desires, are made known; and prudent interference diminishes much of that anxiety that held back the prisoner from a hearty resolve to do good. His physical amendment is thus made promotive of his moral improvement.

In that kind of good work have some of this Committee been profitably engaged, laboring against all the

adverse circumstances of a convict's temper, and, the worst and most disheartening of all, the presence of other convicts. None but the visitor to the convict's cell can fully appreciate the obstacles to a prisoner's moral improvement that are interposed by the companionship with other prisoners in his cell—the worst of all companionship.

The work of self-examination needs solitude and silence. The poor prisoner, sensible of his errors, needs perfect isolation for studying his own heart, and concluding on his own future. Even the diminished light of day, that streams through his narrow, grated window, and strikes half across his cell, is unfriendly to that complete abstraction which self examination requires. Neither sight nor sound of what he has known, and which tells of the world without, can be tolerated. Even into himself he must “retire, the world shut out, imagination's airy wings repress, and in his soul's deep silence, and the depth of nature's silence,” he should be allowed to inquire into the causes of his fall, and the extent of his misdeeds, and the possibility of reformation. This cannot be allowed in the male department of the County Prison. Some labor is performed there; some skill attained in a few branches of mechanic arts. Kindness is exercised by the keepers; but they are *keepers*—they can be no more; the duties of their position are discharged if they prevent the escape of those committed to their care, see that they are fed and clothed according to law, and, in sickness attended by a physician, and served by a nurse. They do all that.

## FEMALE DEPARTMENT.

In the female department the convict cells are less crowded, and more attention can be paid to the moral wants of the prisoner ; more, certainly, is needed—more is given.

This department has in it too many prisoners for the number of cells which it contains ; but relief is at hand. The long cherished plan of uniting the Debtor's Apartment with the Female Department, by extending the building of the latter up to unite with that of the former, is being put into execution ; and before this report can reach the greater portion of its readers, it is probable that female prisoners will be placed in the new cells, and the intention of the law-makers, with regard to *separate* imprisonment, will be fulfilled in the female department of the County Prison.

In all these cells are placed copies of the Bible, and an Episcopal Common Prayer-Book is furnished wherever it will be received. Copies of Prayer-Books of the Roman Catholic Church are supplied by private liberality, and also copies of the New Testament, approved by that Church, together with tracts and other means of devotion

The library of the male convict block, where are about four hundred prisoners, is pretty well furnished with books of travel, essay, history, admissible fiction, and sterling periodical literature. Large additions might be usefully made ; but no book exhibits all its capabilities without some one to create an appetite and illustrate

the text. "Understandest thou what thou readest? How can I, unless some man should guide me?"

There is also a small library of a few hundred very readable books in the female department.

In the female department, moral and religious instructions are given by members who volunteer their services; and several instances of good effects of a permanent character might be cited in the last year's experience. Many of the female convicts who are able to read, are wholly ignorant of the art of penmanship. Within the last year, an attempt was made to enable such persons to write a plain hand, and the success was far beyond the anticipation. Care was taken to make no effort with those who could not read pretty well, and especially to await an earnest request for the privilege. The *will* of the pupil seems to overleap all obstacles, and conquer all difficulties.

The success attending the attempt to introduce penmanship as a prison lesson is here mentioned, in the hope that it will encourage similar indulgence in other prisons. The liberty of writing is to be considered as a reward, and an encouragement to good conduct.

Several female convicts have left the prison with promises of good conduct within the past year; and they have reported themselves at stated periods to those who assisted them to try to do well; and it is believed that they are so satisfied that vice "does not pay," that they will derive *profit* from a continuance in a course of virtue so admirably commenced. In this particular more encouragement has been given than was ever before received in the same time. The encouragement, the hopes,

the expectations, if cherished, are not, however, founded on the professions of the repentants in their cells; it is abroad, but under the eye of the friendly visitor; it is in the liberty of public action, but under the surveillance of watchful friends, that the discharged convict gives proof of the sincerity of her repentance. It is a source of gratification to the Society that some of the repentant convicts who leave the County Prison, are followed by those who have exhorted and encouraged them in their cells, and are made to understand that the interest in their fate does not terminate with the termination of their imprisonment; and it is this confidence in the kind interest of others that encourages efforts to be and to do good, and sustains under the mortifying effect of the suspicions which meet them as they try to earn a living in a way that shall not lead to the prison again. It is with females especially that this knowledge of a refuge becomes the means of perseverance and success.

The whole number of visits made to the County Prison, in 1867, is not less than that which marked the action of the Committee in 1866. It ought to have been greater; but the male part of the County Prison does not present a desirable field for labor, either in regard to the pleasure of visiting the prisoner, or hopes of being useful to him in the future. It is very difficult to deal with men in parties. Singly, there is hope that what is said, even though while being uttered it offends, may, with the reflection of solitude, produce good resolution. When more than one are approached, every individual diminishes the chance of benefit, and that which, offered in the cell of the solitary prisoner, might have sunk into his heart



and produced fruits of goodness, would be likely, if presented in the presence of more than one, to be ridiculed out of the mind if either was disposed to listen, and the devoted visitor be made the object of taunt and contempt. Hence it is said, that the male cells in the County Prison have offered little inducement for the religious visitor—and yet they have not been neglected; probably about nine hundred visits were made to the various departments of the prison in 1867. We have already mentioned some of the results of these visits, especially to the female department. We incline to think that the promises of amendment on the part of male convicts have been more generally fulfilled than those of females—there are fewer obstacles in themselves, fewer in the opinions and customs of the Society, fewer in the amount of improvement required.

We might, perhaps, by inquiry, ascertain how many of both sexes have redeemed their promises; but we could never tell the amount of real comfort and consolation resulting to the prisoner from the kindly visits of the Agents and Committees of this Society; nor how much in later years these later virtues owe to the monitory and encouraging addresses of friendly visitors. Perhaps, too few look to the ultimate benefits from good advice; too many, certainly, desire to rejoice in the manifest and prompt good results of their own labors; they would place the seed-time and the harvest so near together as not to allow time for their planting to fructify. We must be content to do our duty now, and leave to another time the benefit of our labors. In a future day, when our principles and our plans shall have had

greater time for successful operation, then, perhaps, we may rejoice in our own tillage. "And the same hand that sowed shall reap the field."

---

## EASTERN PENITENTIARY.

The Committee of the Society visit the Eastern Penitentiary as usual; and women, by invitation of the Society and permission of the Inspectors, are constant and earnest in their visitation to the female prisoners there. We know that these visitors are welcome to the inmates of the cell, and we cannot doubt that they are extensively useful.

We have, of course, to desire that there were more visitors, and that the visits were multiplied, and trust that a field so promising will be tilled to a rich harvest.

A member of the Sub-committee, in care of discharged prisoners, assures us that good has come from labors in that direction. Reference is made to a young man, formerly a convict, who is now pursuing an honorable calling in an honorable manner. In a recent visit to the city to draw money from a Savings Bank, to prosecute his business, he gave grounds for the highest hope of a long life and extensive usefulness. He has been in constant relation with the member of our Committee who directed his mind in prison, and aided him by advice to secure a footing in the world which he was to try again. Such fruits as this, if not as plentiful as we could

desire, are still frequently rewarding and encouraging to, the Committee of our Society, and illustrative of the benefit of our plan of proceeding.

It is thought to be right to repeat what has been more than once stated in preceding numbers of this Journal, viz., that while it would be gratifying to those who labor in the cause of humanity at the cell-door, that there should be a statement of their business; and while such a statement of well established facts might encourage others to assist in the good work of reforming prisoners, it seems certain that any statement containing the name of a prisoner who had gone forth, and was redeeming his pledge to lead a good life, or any reference to the circumstance or condition of such a person, so direct as to attract attention, would defeat the effort of the released man to regain position, and would disappoint the expectations of the friends that helped him.

The following are the statistics of the Penitentiary for the past year to the 1st of December:

ADMITTED.		DISCHARGED.	
White male prisoners,	223	White male prisoners,	195
“ female “	2	“ female “	6
Colored male “	32	Colored “ “	27
“ female, “	—	“ “ “	2
	<hr/>		<hr/>
	257		230

Whole number in confinement 1st December, 1867, 596.

We are indebted to a member of our Society connected with the administration of the Eastern Penitentiary, for the following exceedingly interesting table, showing

the working of the Penitentiary from the day it was opened for prisoners, October 29, 1827, to October 25, 1867, a period of thirty-eight years.

### COMMITMENTS TO THE EASTERN STATE PENITENTIARY.

FROM OCT. 25, 1829, to OCT. 25, 1867, A PERIOD OF 38 YEARS.	WHITE.			COLORED.			Total Number.
	Males.	Females.	Total.	Males.	Females.	Total.	
Whole number of Commitments,	4,456	190	4,646	1,180	185	1,265	5,911
Deduct re-commitments,	415	11	426	182	4	186	562
Number of different prisoners, Here for the first time only,	4,041	179	4,220	998	181	1,129	5,349
	3,705	170	3,875	864	127	1,011	4,886
Number of re-committed convicts,	826	9	845	114	4	118	463

From the above it appears that there were 5,349 different prisoners sentenced to the Penitentiary; of this number there has been discharged 4,825, as follows:

By expiration of sentence,	3,711	Removed by Writ of Habeas Corpus,	9
" Pardon,	788	" " Error,	15
Removed to Almshouse,	2	Died,	263
" " House of Refuge,	2	Suicide,	12
" " County Prison,	12	Hanged,	1
" " State Lunatic Asylum,	6	Escaped,	8
" by revocation of sentence,	4		
" " change " " 2			
			4,825
In confinement October 25, 1867, under first conviction,			524
Total number of different prisoners received,			5,349

If, now, we deduct from the 4,825 discharged prisoners the number died, committed suicide, and hanged, amounting to 276, it leaves us 4,549 different discharged prisoners, who were liable to re-conviction; and of this number the above table shows only 463 were returned to the prison, being a per cent. of 10.18 in discharged prisoners, a result very satisfactory to the friends of the Separate System.

Of the various subjects that have within the past years been presented to the readers of this Journal, as connected with the plans and principle of this Society, as well promotive as disturbing causes, and not here specially noticed, it is proper to state, that those within the proper sphere of the Society's action, have not been lost sight of. Appropriate times and circumstances must be waited for; but whatever affects the cause of public virtue, concerns those who watch over the discipline of public prisons; and the form and management of almshouses must be interesting to those who would promote philanthropic action. There has been no change in the system of Police Magistracy in this city, and, consequently, no improvement. The complaints justly made on this subject are against the system, not against the magistrates. In a time of general difficulty, such as in the late war, and not less in the succeeding season, men excuse themselves from meddling with existing institutions that are no worse than they have been; and when all is settled and quiet, men postpone the duty of correcting evils of an established system for the purpose of inaugurating something that may assist the movers.

There is no cessation of the evil of drunkenness; and it is difficult to say what would be the effect of any measure considerably stringent to diminish the use of intoxicating liquors. The popular will—public sentiment—gauged by the public *vote*, is omnipotent in the matter of State legislation, and, so many circumstances, direct that vote, even when a single question is at issue; that it is often to be feared that some local or colla-

teral interest has had expression in the vote, rather than that which is ostensibly before the public.

The measure which has commanded the services and means of the Society for a few years past, viz., that of having the administration of the prisons and almshouses in the State all subjected to one general responsibility, is, thanks to the efforts of the Society, gaining favor. The appointment of Mr. Mahlon H. Dickerson as commissioner to visit all the prisons and almshouses in the State, and to make report upon the structure of the buildings, and the administration of their affairs, may be regarded as the first effective step in their good work ; and Mr. Dickerson's thorough discharge of the duties devolved upon him by the Governor, leads to the hope that we shall soon realize the benefits that the Society has been promising from such a commission.

It will be seen by the proceedings of the Society in West Chester, that as soon as organization was completed, plans were laid for carrying on one of the most important objects of this Society, viz., that of direct application of the principles of improvement to the individual inmates of the prison. This, the Parent Society is most thankful to Providence for the blessing on all efforts to establish Auxiliary Societies for 'Alleviating the Miseries of Public Prisons ; but its greatest joy in that direction, is to find that these Auxiliaries are engaged in the generous effort to alleviate those miseries ; that, besides the organization of societies, they are organizing bands of visitors, who are dealing individually with the prisoner. This "separate" approach to the unhappy inmate of a cell is a part of the system of separate con-

finement ; and the proceedings at West Chester show how well our friends there understand the vast and beneficial capabilities of the Pennsylvania System.

---

## THE AGENT'S PROCEEDINGS.

The Society continues its labors through the agency of WILLIAM J. MULLEN, and has reason to believe that great good has been done by the timely interference in behalf of prisoners, whose friendless condition left them almost hopeless sufferers in the cells of the prison.

Mr. Mullen must, in the past year, have procured the release of more than a thousand persons committed for trial, of several hundred who having been committed absolutely, were discharged by the magistrate through Mr. M.'s interference.

It is impossible to form an adequate idea of the amount of misery endured by the head of a family in prison, and the family itself at home with the father or mother in that condition. We do not now allude to the shame, the wounded family pride caused by this incarceration, but we refer to the absolute physical suffering resulting from the loss of the day by day income for the parent's labor. This of course leads to moral social evils, as the want of parental provision and discipline at home often sends the children abroad to obtain what they require without much discrimination as to the means employed for that desirable end.

But the imprisonment of the father or mother often

leads to a mental suffering that would create sympathy in every well regulated mind.

"But," it is asked, "are all those whose releases are procured by the agent, innocent of the crime charged upon them."

The answer is explicit, "No."

Is it then laudable to save from punishment persons who have been guilty of a violation of the penal laws of the State?

We answer, that when the end proposed by the infliction of punishment has been attained, all infliction beyond, is, at least useless, if not unjust.

Crimes must be punished, so that it may be evident that the laws of Society distinguish between the good and the bad, so that the offender may know that he cannot with impunity violate the rights of others, so that seeing this, he may not be tempted again to expose himself to the penalties of the violated statute, so that the offender may be mended as well as punished, and by all these, so that Society may be guaranteed against the misdoing of the offenders.

Often, very often has the Agent been called to examine a case of a prisoner in which it was found that the act charged had really been committed—perhaps some petty pilfering for the first time. One night spent in the station house that the alderman may hear the testimony against the accused, in order to commit him to prison for trial, is something from which a sensitive mind must revolt. A residence in the untried apartment of the County Prison, in companionship with filthy and hardened offenders awaiting the action of the Court



of Sessions, may be regarded as something in the way of penance. Enough at least to show that the law and its ministers have no idea of allowing crime to go unnoticed—undistinguished from virtue. Enough to satisfy the accused that he is not master of the situation which he has assumed. Enough to make him say to his visiting friends, "I have felt enough to satisfy me that not only must I make restitution in some form to men and society whom I have injured, but I must give security that I will not repeat the wrongs I have committed." It is due to those with whom Mr. Mullen deals to say, that many seem to find enough, full enough in these preliminary punishments to lead them to repentance, when there is reason to believe that had the punishment proceeded to the trial, conviction and imprisonment of the offender, his course of life would have been fixed in the pathway of crime. None can judge of this like one who has been for seven years watching, at the cell door, the movements, and listening to the language of young prisoners. It is not difficult to ascertain pretty well the amount of sincerity in the language of regret used by those newly accused; to one accustomed to the scene it is easy to distinguish between remorse for the crime and regret for the consequences, between mortification at the loss of position and regret for the disgrace brought upon others. A friend at the door hears and understands all this, and satisfied that the moment is pregnant with the fate of the young man, the agent proceeds to procure a settlement of the case, and in a large majority of the instances of his interference the results have been the restoration of the offender to society, and his entire

separation from the class of persons with whom he has been unprofitably associated.

This abatement of a vast amount of evil we cannot doubt operates beyond individual comforts into public proprieties, and many who have indulged in bad habits of rushing to an alderman upon every occasion of offence received, that they may punish an offence given, that they may avoid punishment, have learned a wholesome lesson to bear and forbear, to give and to forgive.

It is worthy of remark that a large number of the cases of which the Agent procures the settlement before, or in Court, the prosecutor himself pays the cost, and contributes something towards placing the accused beyond the reach of temptation, or at least where employment may be secured. It is wonderful how placable are many people who seem to be irascible and bitter; it needs in most cases only the persevering mediation of some kind hearted person whose common sense and disinterestedness are as apparent as are his desires to reconcile.

In this great work, the Society by its Agent believes that it stands prominent among all associations for alleviating the miseries of public prisons.

We should, if we had space, give some extracts from the interesting monthly reports of Mr. Mullen, as to his success in procuring the release of prisoners; but important as they seem and abundant as they are, we lose a portion of their interest by being unable to follow him in the work of providing for the discharged prisoner; and we lose much more in the fact that the smaller cases that are less difficult and less striking have no re-

port, although the mere sending home of a father or mother that has erred, to children that are suffering for want of the customary earnings or customary care may often, save from destruction, certainly from suffering, many whose cases are as important to themselves as are those of people that have distinguished themselves by great deviations from propriety.

It is impossible to make these things fully understood by those who have not seen prisoners in their cells, inquired into their condition, and ascertained the amount of suffering which the absence from their family produces, and how little good it does, and how little evil it prevents to hold them thus incarcerated. We do not mean that vice should not be condemned nor the vicious punished, but we would have great discrimination in all commitments, and equal care in all discharges.

Society is more injured by the confirmation of an erring one in guilt, by injudicious imprisonment, than it could have been by the exercise of the liberty which penitence had asked and charity granted. The prison is always open to receive any who fail of redeeming their pledge, to avoid vice and crime. It would be well if society were as open to receive and encourage those who have given a pledge not to return to crime and vice.

The law has a name for the *crime* of multiplying suits without cause, and it has a punishment for those who are proved to have committed that crime. It would be a blessing to society at large if in this matter the laws would provide a preventive as well as a penalty. Independent magistrates, we mean magistrates made independent of fees, by a fair, competent salary, could and

would prevent much of the vexatious litigation that fills the prison-cells, offends the Grand Jury and multiplies the vexations of our criminal courts and the expenses of the county. We know of no other preventive. Mr. Mullen does immense good by saving from twelve hundred to fifteen hundred people a year from trial, that would probably only keep them for a time in prison and keep up the taxes of the city. There is work for the agent, ample work to occupy all his time, even were there no commitments that the law will not sustain and the Grand Jury will not condemn.

---

## AUXILIARY SOCIETIES.

The Society has diminished none of its efforts to establish auxiliary associations in the interior of the State, and though only partial success has attended their efforts, yet it is gratifying to state that the subject of prison discipline upon the plan of improving, as well as punishing the offenders, is occupying more and more public attention. The animated exertions of the Society in New York city and the co-operation of the State authorities in Massachusetts, in the great work, show how prevalent has become the opinion that something may be saved from the wreck of a human being, and while he is submitted to discipline for a violation of the law of men, he may be made better by an application of the law of God, the law of love—a law no ways inconsistent with the administration of a law that punishes the offender. It is to be regretted that our co-laborers in the cause of prison improvement, in New York city and in

the State of Massachusetts, have failed to advance the great system of separate confinement, that they stop short of the means to reach the end at which they conscientiously aim, and seem rather disposed to patch up the old garment of congregate confinement with pieces from some new fabric, than to take the whole cloth and make of that what they need.

### CHESTER COUNTY SOCIETY.

It affords us much gratification to present to our readers the following statement of the proceedings to constitute a Society in Chester county, which, in views, labors, and objects is to be auxiliary to this Society. It is gratifying to notice that this new auxiliary has "gone to work" at once, and made itself felt and respected in the County Prison at West Chester, and it is no less gratifying to notice the cordiality with which the Inspectors respond to the request of the Society to be allowed to visit the prisoners :

REPORT of the Executive Committee of the "Chester County Society for Alleviating the Miseries of Public Prisons," presented to the Society at its annual meeting, on the evening of December 3d, 1867 :

OCTOBER 11th, 1867.— At a meeting of citizens of West Chester, called together for the purpose of considering the propriety of organizing a Society, in said borough, auxiliary to the "Philadelphia Society for Alleviating the Miseries of Public Prisons," on motion, Rev. Wm. E. Moore was called to the chair, and J. Lacey Darlington appointed Secretary.

James J. Barclay, Esq., who was present, representing the Philadelphia Society, upon invitation, made some interesting statements in explanation of the objects of the association ; and, after remarks by

several other gentlemen, favorable to the purposes of the proposed organization, it was, on motion of Dr. William Worthington,

*Resolved*, That it is expedient to form, in the Borough of West Chester, a Society, auxiliary to the "Philadelphia Society for the Alleviation of the Miseries of Public Prisons."

On motion of W. E. Barber, it was

*Resolved*, That a Committee be appointed to prepare a Constitution and By-Laws for the government of the proposed Society, to be submitted at a future meeting.

The Chair appointed W. E. Barber, Dr. Daniel G. Brinton and J. L. Darlington, to constitute said Committee, and to report at a meeting to be held on the following Friday evening, 18th instant.

OCTOBER 18th, 1867.—The Committee, appointed to frame a Constitution and By-Laws, submitted their report, which, on motion, was accepted and adopted.

On motion a Committee was appointed to nominate officers of the "Chester County Society for Alleviating the Miseries of Public Prisons," to report at a meeting to be held on the following Tuesday evening.

OCTOBER 22d, 1867.—The Committee, appointed to nominate officers of the Society, reported as follows, viz :

*For President*—REV. WM. E. MOORE ;

*For Vice-President*—DR. GEORGE MARTIN ;

*For Secretary*—WM. E. BARBER ;

*For Treasurer*—WM. S. KIRK.

*For Executive Committee*, in addition to the above-named ex-officio members—

DR. W. WORTHINGTON,

DR. ISAAC MASSEY,

REV. JOHN BOLTON,

WM. B. WADDELL,

LEWIS LEVIS,

*Solicitor*—GEORGE M. RUPERT.

The report of the Committee was accepted, and the above-named officers were unanimously elected.

On motion, a committee was appointed to ascertain whether legisla-

tion is necessary to authorise the Visiting Committee of the Society to visit the prisoners confined in the County Prison, and if such be the case, to frame a bill for said purpose.

On motion, the President and Secretary were appointed to communicate with the Inspectors of the Prison and solicit the privilege of visiting the prisoners.

The Executive Committee have thus presented the minutes of the proceedings of the preliminary meetings of the Society. Since the meeting last above mentioned, the business of the Society has been conducted by the Executive Committee.

In reply to the communication soliciting the privilege of visiting the prisoners, the Inspectors of the County Prison courteously and promptly acceded to the request of the Society, and directed the Keeper to admit the Visiting Committees, at all times, to the cells of the prisoners.

At a meeting held November 5th, last, the following persons were appointed the Visiting Committee, until the Annual Meeting, in December, viz :

REV. WM. E. MOORE,	DR. W. WORTHINGTON,
DR. GEORGE MARTIN,	JAMES G. McCOLLIM,
ALFRED P. REID,	WM. P. TOWNSEND,
REV. JOHN BOLTON,	ELI PALMER,
REV. J. B. McCULLOUGH,	JOHN LENT,
REV. JOSEPH S. EVANS,	JAMES G. THOMPSON.

This Committee was divided into six sub-committees, answering to the six ranges of cells in the Prison, and the times of their visits designated; the 1st and 2d Sub-Committees being directed to make their visits between the 1st and 10th days of each month; the 3d and 4th, between the 10th and 20th, and the 5th and 6th, between the 20th and 30th of each month.

These Committees immediately entered upon the discharge of their duties, and, as will be seen by their written reports, have, during the month of November, seen and conversed with every individual—whether awaiting trial, or under sentence—confined in the Prison. The number of inmates, at present, is twenty-nine (29). The members of the Visiting Committee concur in pronouncing the sanitary

condition of the prisoners, excellent. The cells were clean and well ventilated, and the prisoners, without exception, expressed entire satisfaction with their treatment.

The Committee supplied some of the convicts with Bibles, and others with reading matter, and have undertaken to teach others to read .

The Society is now in full and effective operation. The Committees are required, under the Constitution, to visit the prisoners at least once in every month, and the Executive Committee hope to be able, at the next stated meeting of the Society, to present a far more interesting report.

By order of the Executive Committee.

W. E. BARBER, *Secretary.*

## PUBLIC MEETINGS.

With a view of bringing the existence and labors of the Society more fully before the public, it was resolved that a public meeting should be held, at which should be read some report of proceedings, and comments on the plans and labors of the Society should be made by some of our fellow-citizens.

The meeting was held on the evening of the 8th of February, in the Hall of the "Franklin Institute." Most unfortunately for the objects of the Society, that proved to be one of the most inclement evenings of the season, the rain descended in torrents for most of the day. As more attended the meeting than could have been expected on such an evening, it was thought best to proceed, and the meeting was opened by the President, J. J. Barclay, Esq who was followed by Rev. E. R. Beadle, Hon. Wm. S. Peirce, Hon. James Pollock, Dr. Joseph Parrish, and Joseph R. Chandler.



It was evident from the interest manifested by those whom the weather did not hinder from attending, that such meetings may be made useful in enlarging a knowledge of the existence of the Society and extending the means of its usefulness.

In other parts of the country where the branch of social science, that includes prison discipline, is cultivated, it is the custom to hold a public meeting annually, and there seems to be no reason why this Society should not avail itself of approved methods of strengthening its hold on public esteem, and thus secure the co-operation of many who might not otherwise be made aware of the appeal to the good feelings, or of the duty which this Society enables them to discharge.

If these meetings held annually should be well arranged, and their attractions heightened by the services of good speakers, it is believed that very many who rarely see a copy of our Journal and who have no just appreciation of the labors and benefits of our Society, would be induced to aid our efforts by contributions toward our means of charity, or by co-operation in our deliberations in the Society, and the labors of our Committees in the prison cell.

There is a strong feeling on the subject of the vast addition to the amount of crimes in our community, and the consequent augmentation of the number of arrested and of convicts in our prison, and this leads to discussion as to the best mode of repressing the crimes, and especially to the mode of punishing the criminal. The cost too of supporting the penal institutions of our State, directs these inquiries into the channels of

economy; how can the costs of prisons be lessened without suffering the guilty to escape, and especially how can the prisoners be made to diminish the cost of their punishment and support?

Our Journal has presented all these questions and proper satisfactory answers. But annual public meetings of the Society might serve to present both the question and the answer, the difficulty and its solution, to hundreds who are not well-informed on the subject, and who are willing to learn and not indisposed to aid.

A good speaker might, even where a good writer might fail, open the mind of the public to the fact that punishment which does not reform is only restraining the action, while it husband the vigor and sharpens the invention of the criminal. He might satisfy his auditors, who find little time and less inclination to read, that the cost of punishing a criminal is the smallest part of the tax which crime levies upon society, and that the plan of self support of a public prison, while it involves perhaps no injustice to the prisoner, is likely under ordinary circumstances to ensure a perpetuation of his criminal plans.

Public sentiment on the subject of prison discipline and all the physical and moral considerations that are connected with that branch of social science, need information. Men, till otherwise informed, hold the opinion which accidental association or reading suggested; ad captandum arguments find their way into the papers, and adverse circumstances are cited, and people who are willing to think right are left without information, and their opinions suffered to settle into firm prac-

tical convictions that at last withhold them from aiding a good work, and often leads them to assist in carrying out injurious projects.

Public meetings then, it is thought, will serve to correct certain errors and spread abroad correct ideas. Not only will the silent workings of our Society be better understood and more highly appreciated, but the plan for prison construction, prison administration and prison discipline will be presented for discussion, and thus exciting interest in the right direction, good must result.

A great many feel deep interest in the question of prison discipline who have little or no time to make themselves personally acquainted with the operations of different systems or the value of certain kinds of administration; such persons may find their views strengthened or corrected by oral explanations and discussions by those who have pursued the subject with some experience.

---

## ABSTRACT

*Of Report by Commissioner Mahlon H. Dickenson, on the Penal and Pauper Institutions of this State.*

The efforts made by this Society, two years since, to procure an official agent to investigate the affairs of the prisons and almshouses of this State, and to have a Commission, to which all information of these institu-

tions should regularly come, and through which it should, in a proper form, be communicated to the people, were not productive of all the results proposed, else we should, in this number of our Journal, present to our readers an abstract of the condition of all the penal and pauper institutions in the Commonwealth. But a step has been taken in the right direction and at the initial point, so that the work has been begun and begun at the right end.

Gov. Geary appointed Mr. Mahlon H. Dickenson as Commissioner to visit the Penitentiaries, Prisons and Almshouses of the State, to make report upon the structure, the administration, and the inmates thereof. With a knowledge of the ability of Mr. Dickenson, and of the peculiar adaptability of his talent and inclination, to such an undertaking, we had no doubt that the work which he assumed would be well done, and we could not doubt that such an execution of the Commission would lead to the other branch of our proposition, viz., the establishment of a Commission (under some name,) by which all the prisons and almshouses of our State would be annually visited, and their condition annually reported upon, and the knowledge thus conveyed to the Commission be by them put in proper form and distributed for the information of the people and the improvement of the administration of the prisons and charities of the State.

The full report of Mr. Dickenson's inquiries has not been made public; we do not know indeed, that he has presented a complete report of his commission, but we have read enough of his report upon many of the prisons

and almshouses which he visited, to satisfy us that his work has been well done, justifying not only our expectations from the man, but our recommendation of the Commission.

Volunteers from this Society visited within a few years not only most of the prisons and almshouses of this State, but even many in the adjoining and neighboring States, and a part of their reports were given in this Journal. The incomplete report of Mr. Dickenson, including some of the very institutions reported on by the visitors from this Society, concurs mainly in the opinions expressed by Messrs. Jeremiah Willetts and P. P. Randolph, and confirm all their statements, with such additional information as the authoritative character of his mission would naturally elicit.

Presuming that the Legislature of the State will order the printing of Mr. Dickenson's report, *in extenso*, we do not feel it best to give large extracts from the statements, as they do little else than confirm the statements of our own visitors; but they do that so thoroughly, so completely, that what was only suggested by Messrs. Willetts and Randolph, will be, we doubt not, adopted by the report and recommendation of Mr. Dickenson, who has shown himself admirably suited to the place he fills, by patient investigation, by entire sympathy with the cause of "social science" as connected with the construction and administration of prisons and almshouses, as connected with the system of discipline in both kinds of institutions, but especially as distinguishing between treatment of those bad men who have violated the law and deserve punishment and need improvement, and

those good ones who have conformed to the law, and have a perfect right to a support, with physical comforts and moral consolation.

We regard the Report of Mr. Dickenson as exceedingly opportune and gratifying. We have elsewhere in the present number of the Journal explained, in part, what is called the "Irish Convict System," and compared and contrasted its workings with what is called the Pennsylvania System, and we attempted to show that all of the particular advantages which were discovered in the Irish system were due to circumstances that favored the administration of the system, and the departure of the ticket-of-leave men from the country in which their crimes had been punished; and all that is claimed as intrinsically valuable in the Irish system might be more easily and more profitably practised in the Pennsylvania penitentiaries, if incorporated into the administration of these institutions, as it could easily be, if deemed desirable.

Having that idea in view we have to notice in the first place, Mr. Dickenson's remarks upon that prison in this State, which he thinks, on the whole, is the best administered. That is the prison of Schuylkill county, situated in Pottsville.

"The building is constructed with a corridor, with a certain number of cells for the separate system, which appears to be carried on better in this institution than in any other I have visited in the State, outside of Philadelphia (of course, excepting penitentiaries). The Warden does not admit of any intercourse between the prisoners, unless there are more prisoners than cells,

which sometimes occurs, and then two are put into one cell.

The building is handsome and substantial, well ventilated, and warmed by furnaces, the whole structure fire-proof. Each cell is furnished with a hydrant and watercloset; cell, bed, clothing and bedding, scrupulously clean. In conversation the prisoners generally profess themselves satisfied with their treatment. The convicts have work, generally weaving and making shoes and boots, arts which are taught to them if their sentence is for a year. They are well fed; their sanitary condition is excellent; in the last year only one death occurred, and that from disease not contracted in prison. "This," says the report, "may be attributed in part to the cleanliness of the premises, but it is chiefly due to the fact that prisoners are kept separate, not crowded into small cells, to breathe impure air, vitiated by many breaths."

"Out of thirty-seven convicts remaining in prison on the 31st of December, 1866, twenty-seven were habitual drunkards, and ten claimed to be moderate drinkers.

"Punishment of refractory prisoners is by confining them in a darkened cell, with loose straw for a bed. But the Warden assured me that the cell was seldom used.

"In many points," continues Mr. Dickenson, "the Schuylkill County Prison is all that can be desired for a county jail. It is well built, and governed by officers who seem to understand their duty, and perform it well."

"There is one great objection," Mr. D. adds, "and that is, occasionally placing two prisoners in a cell. This

can only be avoided by an additional corridor, which could be easily added, as the grounds are ample. If it is not done, it will be impossible to preserve the present very excellent discipline of the institution, no matter how much the officers may desire it."

The account which Mr. Dickenson gives of the Lancaster County Prison, shows that institution to be deserving nearly the same commendations that are bestowed on that of Schuylkill County. It is ably conducted, well supplied with good food, and the prisoners receive moral instruction, have Divine service each alternate Sunday, and are taught to read and write.

The report of Mr. D. on Lancaster County Prison, shows that nearly all that can for the present be expected of a prison is attempted there; and that the Inspectors of that Institution are greatly in advance of most of those who direct the prison administrations in Pennsylvania. But the number of prisoners exceeds the number of cells, and to that cause is to be traced the failure which the Inspectors and the Commission deplore.

The officers, and all concerned, understand their duties, and endeavor to discharge them.

"The officers," says Mr. Dickenson, in reply to my interrogatory, "say that the defects of the prison are in the occasional want of more cells, and the only plan whereby this can be remedied, is an additional wing, in which to keep the convicts separate from those who are awaiting trial, and from vagrants."

The Report from YORK COUNTY shows that an excellent prison-house, well planned, well constructed, and



well supplied, fails of its purpose for want of proper administration. While there is abundance of cells for separate confinement, prisoners are crowded together without employment, without occupation, without instruction, without religious exercises on any day in the week, in a borough where there are so many clergymen. The failure here commences with the neglect of the law relative to separate confinement.

INDIANA COUNTY.—The account which Mr. Dickenson gives of the prison of Indiana County, should awaken the Legislature of the State to some action toward creating a system for jail direction. The place is not even a safe depository of criminals. We forbear particularizing; but Mr. D. thus sums up his account of that place:

“The ‘Black Hole’ in Calcutta has a world-wide reputation. The jail of Indiana County is deserving of a like notoriety. Brute beasts would pine away and die in such a place. Nothing having life could exist there any length of time, the place is in such a bad condition that it is impossible to keep it clean. Of all the jails I ever visited, this is the filthiest. The County has no Poor House, and consequently, no place for the insane. There are two insane persons in this jail at the present time. What a place for an insane man! The Sheriff may be a very humane man, but he cannot, in this place, give this class of prisoners the kind attentions they ought to have.”

It is hardly necessary to add, that the answers to the interrogatories, declare that the prison has no ventilation, no employment, no instruction or work, none in

trades, no religious service, no physician, and that the prisoners associate day and night.

The painful subject of misconstrued and mismanaged prisons, must come before the people of the State; and we believe that the publication of Mr. Dickenson's whole report, by the Legislature, will do a great and a good work. We cannot follow him in detail, but we may say that the responses to the interrogatories which he propounded to the keepers of the County Prisons, are pregnant with suggestion. With a few exceptions, almost all the keepers declare that the only remedy for the evil of erroneous construction lies in the erection of new buildings. As many state that their prisoners are without the means of literary and moral and religious instruction, and as a conclusion, it is evident that the State needs a supervisory power for the jails, that shall recognize in the prisoner some of the qualities of humanity, and that shall see that while the malefactor is punished for his offences, he shall have at his use the means and the inducement for improvement.

### ALMSHOUSES.

Humanity has as much to do with the construction and administration of Almshouses as with those of the prisons. Justice demands that the felon shall be punished in prison or by other means; justice no less demands that the innocent poor shall be provided with comforts; that in health they shall be fed and clothed, and in sickness tended and nursed. It is the right of society to have the felon punished; it is the right of the

poor to have decent provisions for his well being. Philanthropy will see that the convict is not over punished by the circumstances of his imprisonment ; philanthropy will see that the unfortunate is not *under* supplied with what his citizenship or his humanity may rightly claim.

Mr. Dickenson made diligent inquiries into the construction, administration, and condition of the almshouses. Many of them he found in excellent order ; and he praises with liberal commendation all that he finds good. It is gratifying that he found so much to praise. Generally, where the prison arrangements of the County were good, the almshouse accommodations were also good. In some Counties, where special praise is not bestowed upon the prison, warm commendations are given to the almshouse.

York County almshouse is well ventilated and warm, has a good hospital, and everything about the establishment bears evidence of kind treatment by the Steward and other officers. "It is the cleanest, best arranged, warmed and ventilated that I have visited in the State."

Lancaster County has an almshouse which is rather deficient in its provisions for the insane. Even a new wing being put up for the insane, is deficient in the improvements approved for such purpose.

Adams County Poor-house is connected with a farm. The administration of the place fails for want of knowledge of the duties toward the inmates. "There seems to be no separation of the sexes ; nothing to prevent them from associating by day or night."

We would willingly copy much of Mr. D.'s report upon the various almshouses, but we have no space.

It is proper to state that in many townships, and in some counties, there are no almshouses; the poor are put up at "public cry," and the right of keeping them sold to the lowest bidder. The possibility of evils resulting from such a course is terrible; it does not follow that all thus purchased are badly treated, but it is likely that some are, and possible for all to be.

### THE INSANE.

We start with pain and mortification at the report which Mr. Dickenson makes of the treatment of the insane pauper and the insane prisoner. It is a horrible calamity to be deprived of reason in any degree; but that calamity is doubled when the situation of the sufferer is such as to comprehend the cruel nature of his treatment, with some appreciation of its cause, yet without a sufficient command of reason to escape the *punishment* for insanity.

"It is as if the dead should feel  
The icy worm around him steal."

In some counties the insane are sent to the prison to be kept because of a want of a better place; and the prison has nothing but a cold cell and chains to hold the insane.

"Indiana County has no almshouse, its poor in the several townships are let out to the lowest bidder, and the insane sent sometimes to the miserable jail that disgraces this County."

One miserable object who had a mania for setting

things on fire, was put into a coffin-shaped box and fastened close, with enough of the cover off to expose his face. Once a day the insane man is taken out of his box for air and exercise. Now the Sheriff is a kind-hearted man, and did perhaps the best he could with his means. But assuredly the State of Pennsylvania will not suffer much longer such a disgrace to humanity.

In Franklin County, one man David Wagamer, a native of the County, eighty years of age, has been an inmate of this almshouse for twenty years, and in all that time has been chained.

Speaking of the place of confinement for the insane in the Adams County Almshouse, Mr. Dickenson says: "This is a horrible hole for insane persons, and ought to be abated as a nuisance." I saw in the almshouse proper, a man said to be insane, who was chained fast to a fifty-six pound weight, which he is obliged to drag about with him when he moves. In the insane department of the house, there was found another man who was held by an enormous chain to a heavy weight brightly polished by long and constant use.

"In a row of badly constructed cells divided by board partitions, I found men and women, some of them chained down to the floor, with chains heavy enough to secure an ox, all of these chains polished brightly by long use, through years of horrible torment. Some of these poor creatures have been confined in these wretched dens for more than twenty years—as the Steward *believes*, though there was no record of proceedings; all was traditionary, no one knew or cared for the wretched creatures.

Mr. D., was taken to the cell of a poor crazy women, who was declared to be the worst patient—she had had in prison, *the insane woman had had* several illegitimate children, she is white, about thirty five years of age. Two of the children were mulatto, a colored man drives the team of the place, she had others by white men.

An idiotic woman was pointed out who had lately given birth to a child; when asked who was the father, the Steward said he could not tell, but supposed it was somebody who came in off the turnpike.

We should hesitate about presenting such details if we were not seeking to show the necessity of a change by exhibiting the evils of existing *want* of system. But, oh! what a state of things for Pennsylvania men and women to contemplate!

Mr. Dickenson thus concludes his remarks upon this subject:

There can be no remedy for this but the erection of an Asylum by the State, where a sufficient number of the class of insane patients considered incurable can be accommodated, to warrant the employment of physicians and nurses who understand the treatment of such people, then they could be properly classified and rendered comparatively comfortable and many of them happy.

Those now confined in gloomy prisons and basements of County Poor Houses, and “pens not fit for the habitation of a brute, could be taken care of and some even restored to reason. A State Institution should be erected at once, where the counties that have not a sufficient number of insane and idiots to have a separate institution

for their treatment, could send them, where they would have better care, and the item of cost would not be greater than keeping them in the County Jail or Poor House.

Of course we only give a glance at Mr. Dickenson's report. In looking over its varied statements we are struck with the vast importance of the work in which he has been, and indeed now is engaged, and we are more and more confirmed in those views which we have for several years past expressed on the importance of a prison and an almshouse system for the State,

The office which Mr. Dickenson now holds was created in consequence of the efforts made by this Society. We hope it will be continued, and it is solely with a view to the public good that we express a hope that it will, with a remunerative salary, be continued in the person who now so ably discharges that portion of its duties which have thus far been developed. Duties, the faithful discharge of which show how much has been left undone, and how the crime of the felon has been perpetuated by the poor means adopted for its punishment, and how the miseries of the unfortunate have been augmented by the maladministration of the means provided for their melioration. How the wandering mind is fixed in insanity, and how the impression that insanity is a disgrace and must be treated like a crime, is deepened and made ineffaceable.

## RESPONSIBILITIES.

Mr. Dickenson in his visitation to the several prisons and almshouses, gathered views of the importance of a direct responsibility of the principal officer of those institutions, which he thus expresses :

In some of the States of the Union there is a system established by law, which includes under one central commission, the means of knowing how much each penal and charitable institution in the State costs and effects. And by this means each is kept up to its work, and each is benefitted by the improvement in the management of any other, while the report of each one to the Central Board enables that body to inform the community of the condition and progress of all the institutions in the State, and to propose alterations and improvements suggested by successful experiments elsewhere.

## SEPARATE CONFINEMENT—PENNSYLVANIA SYSTEM.

We cannot forbear to notice one grand conclusion at which Mr. Dickenson has arrived, after a survey of the two Penitentiaries and nearly all the County Prisons of the State, viz. : that the Pennsylvania system of separate confinement as administered in the Eastern Penitentiary in Philadelphia, is the true, and as yet the only one by which the end of improving as well as punishing the



convict is likely to be attained. Having expressed the opinion cited above of the importance of responsibility, Mr. Dickenson thus proceeds :

“ But, besides a system for the general control of our prisons and almshouses, by which they shall all be brought into a common accountability, we need a system—*one* system—of discipline and administration of the prisons, which would render necessary a certain correspondence in the plans and structures of the buildings.”

“ While we are showing the importance of a system of administration and discipline in our prisons, it is right to say that the State of Pennsylvania has presented to the world a plan of prison which is capable of producing the best results that philanthropy has ever expected, while administered with the zeal and devotion that true philanthropy suggests.”

“ It will be noticed that my highest recommendation is bestowed upon a County Prison, that of Pottsville, Schuylkill county, which was constructed and is conducted on the Pennsylvania system of separate confinement. The commendation was not bestowed because its plan was for separate confinement, but because it is evident that the success which attends the labors of the keepers and assistants therein, is mainly due to an excellent plan, which makes its administration easy, and which will admit of all additional minor plans to extend some of its branches into greater usefulness.”

“ Where there is no attempt to adapt that system to the wants of the prisoner, or adapt the prison to the suggestions of the Pennsylvania system, as exhibited, in the Eastern Penitentiary, there is squalid misery, pro-

fitless labor, a terrible waste of time and usually a lamentable deterioration of morals. We are not to suppose that every convict is altogether a rascal when he is sent to prison; but if placed in a cell or chamber with accomplished villains he is in danger of becoming, "not only almost, but altogether like" them. Separated from bad company, and at proper times visited by those whose sympathy and good wishes he could appreciate, he may court the sentiment of piety from his friendly visitors, and, in time, that sentiment may be nurtured into an established principle."

"Wherever this separate system with its necessary discipline is departed from in the construction and administration of a prison, there, just in proportion to the extent of that departure, is the want of propriety and improvement and a reference to the reports of observation upon the the different prisons, will supply instances to illustrate the remark."

"It was not my intention to advocate any system of prison discipline; it would rather be my object to urge the adoption of some system, and the faithful administration thereof when adopted; but with a view such as I have had of the different modes of punishing malefactors, and of attempts to make them better from their punishment, I could not fail to see that the Pennsylvania System as carried out in the Eastern Penitentiary, in Philadelphia, is that which if not perfect in itself, is, most assuredly, that which most readily admits of all improvements tried and approved elsewhere. But, to make any system of prison discipline beneficial, it must

be well administered ; it must be carefully, patiently and conscientiously carried out."

Mr. Dickenson looks to the benefit of the system of accountability, and seems to have a hope that every year will add to the benefits by making more and more public the proceedings in the prisons and almshouses, so that while now we content ourselves with ascertaining what are the means, we shall soon be inquiring how those means are used and what is the result. Mr. Dickenson says :

"It is scarcely possible to visit all the almshouses and prisons, in this State, in one year, and obtain that information so necessary to give a correct idea of what they are now and to judge of the capability of each for improvement. The first inquiry must, of necessity, proceed slowly ; certain things must be learned now that need not be repeated, and future inquiry may be limited to the progress and improvement upon what is the existing status." •

"I look forward with great confidence to such advances in the system of prison discipline as will make all inquiries turn upon what has been gained."

It will not escape observation that the interrogations relate to a part of what is done. In some prisons so much work is done, reading and writing are taught, and moral instruction is given ; it is true that these answers are confined to a few prisons, but they are obtained, and hence we may hope good results from these efforts. But at some future visitation the interrogatory must be "*How?*—How much ? and to what end ?" and especially, "What are the results ? what direct good to individual

prisoners, and, through them, to society, has been produced?"

---

## THE IRISH CONVICT SYSTEM,

*Its Workings and Capabilities, Compared with the Pennsylvania System.*

It is a good sign of the times, that in various parts of the world the question of the punishment of the criminal is connected with the improvement of the man. It is a part of the fruits of the public exertions of the philanthropist, in the direction of prison management, that we hear earnest discussions of the question, "What shall we do with the convicted felon?"

We wish that all who interest themselves in this very important inquiry, would at once adopt the theory which this society has presented as the result of careful inquiry and satisfactory experiment, so that the united effort of philanthropists would assist to perfect the execution of a good plan rather than to attempt to form a new theory. But such a concurrence of views and union of action are rather to be desired than expected. Many who come to the investigation of the subject of prison discipline bring with them prejudices (pre-formed judgments) in favor of one or against another system, and without being aware of this pledged state of their own mind, and consequently being ignorant of the fact that they are seeking to sustain one system or to put down another, they bend their faculties to the support

of an old opinion rather than the adoption of one that is new.

There are others, who, seeing how well systems work, in consequence of a careful administration, think, and with some considerable correctness, that

“That which is best administered is best,”

and thus, by their influence, they perpetuate an erroneous system in other places, where the administration is much worse than the plan.

There are others who look with deep interest into the workings of systems of prison management, and have the means of judging justly of the effect of the plan, and of its administration, upon the condition, present and future, of the prisoner, but who nevertheless seem to lack the power of appreciating the effects of circumstances, and who thus fail to see that what under all circumstances is the best in one locality, is easily exceeded in another.

It is difficult to inaugurate an entirely new system of prison discipline in a country where the old means are abundant, and where a total change would lead to considerable cost, and those costs render necessary heavy taxation. While in a country that has little of antiquity to strengthen prejudice and create attachment, it is less difficult to commence a system that will admit of such extension as shall include all the wants of a prison with the capability effectually to detain, appropriately punish, and thoroughly improve.

There is another class, that seem determined to wait the result of all trials, and to judge of each system only

by the errors which may be committed in its administration. We have all waited too long. That waiting has strengthened interest in, and thus promoted attachment to, bad systems, or it has left the whole question, in important parts of the country, to accidents that have no relation to systems, and so we see the kindness of the keeper of a prison made inefficient, and valueless to the county and the convict, by the effect of the harshness and severity of his predecessor, and jails are made bad by the eccentricities of officers who have no system by which to govern themselves or their prisoners.

We need a system for the construction and management of our public prisons. Excepting in the Eastern Penitentiary of this State, we have *now* none, and even in that great prison the administration of the system is disturbed by such an excess of prisoners as to place more than one convict in some of the cells. In the County Prison, where, at least in the convict portion, something like system once prevailed, the separate confinement is rendered impossible by the influx of prisoners to the extent of more than two to each cell.

With the exception of some forty cells, separate confinement is practised in the Eastern Penitentiary with constant and perhaps with increased benefit to the convict. Religious and moral instruction is provided for, and a "chaplain," and the constant attendance of numerous visitors of both sexes, insure to the inmates of that great prison advantages of vast importance.

Moral and religious instruction goes on in the County Prison of this city also, but its advantages are greatly lessened by the number of convicts in each cell, espe-

cially in the male department. In the female department the disturbing cause is not so great.

We need a system, (or we need the means of carrying out a system, so far as the Penitentiary and the County Prison are concerned,) but we need a system upon which all the penitentiaries, prisons, houses of detention, places of refuge, houses of correction, &c., shall be conducted.

We have already given our views upon a general system for the prisons of Pennsylvania. We will not refer to that system now, further than to say that its first and most essential element is *Separate Confinement*

But others have different views. Some object to separate confinement as useless; others denounce it as injurious to the prisoner, injurious to the mind and the body.

We do not purpose now to discuss the question of separate confinement, but we wish to notice a proposition which has been some time occupying the attention of persons concerned in prison discipline, and which has lately been placed distinctly before the public, in a way and by persons that compel consideration.

The "Twenty-second Annual Report of the New York Prison Association" gives the result of direct personal investigation into the character and management of a large number of prisons and penitentiaries in the United States and Canada. And with a proper regard to the wants of the public, the Committee of that Society (Rev. E. C. Wines, D.D., and Theodore Dwight, LL. D.) deduce from their observations, and from reports of others, what they consider the true plan of treating prisoners—or perhaps it would be better to state that they select a

plan which has been tested, and which proves beneficial, and they recommend *that* plan as approaching the nearest to what they consider the true mode of punishing and improving offenders against the laws of the country.

The system which meets with the approval of the New York Commissioners mentioned above, is that known as the IRISH CONVICT SYSTEM.

We have frequently noticed the "Irish System" with high approval of most of its parts, and have from year to year referred to its benefits, strengthening our remarks by the statements of philanthropic gentlemen and ladies who had taken an interest in the work of prison discipline, and who had made and improved opportunities to visit Ireland with the sole purpose of understanding "the Irish Convict System," and of marking its progress, and testing its usefulness by actual observation, especially in watching the progress of convicts through the different grades of imprisonment which the system requires.

As we mean to offer some grounds upon which may be formed ideas of prison discipline, we shall give an abstract of what Drs. Wines and Dwight present as the "Irish Convict System." We regret that we have no space to give the whole of this well condensed statement. (Nay, we have space, or could secure it—we need the means to print it for the benefit of the cause.) Doing the best we can, we give an abridged view of the

### IRISH CONVICT SYSTEM.

In the first place, it should be said, that the Irish convict is never sentenced to less than "five years" imprison-



ment, and that the plan of discipline does not regard the character of the felony for the commission of which the convict is to suffer. A course of confinement is prescribed, and its length, in a certain degree, and its inconveniences made dependent upon the conduct of the convict *after* sentence. There are, of course, limits prescribed by the Court, beyond which the offender may not be detained; and there is a time prescribed by law, short of which no good conduct of the prisoner can release him. If the prisoner has been sentenced to five years imprisonment, he may, by good conduct, properly reported, obtain a remission from the whole time of the sentence of *one year*.

If the sentence is for ten years, then a remission may be obtained of *two and a half years*.

If the sentence is for fifteen years, then the remission may be obtained of FIVE YEARS.

And when the sentence is for other periods, remission is obtainable, proportioned to the length of the sentence on a similar scale.

Let us now look a little at the *personel* of this Irish plan.

By whom is it administered?

The chief power employed to direct the criminal prisons in Ireland, is a Board of two *Directors*, who are appointed by the Lord Lieutenant. Their whole time is to be given to the work of their office, for which they receive a salary of \$1,800 to \$2,400 a year. These directors reside in Dublin, and visit the prison personally very frequently. They appoint "inspectors," whose duty it is to make inspection of the prisons and report to

the directors. The officers are appointed by the Lord Lieutenant. A probation of six months must precede the appointment; in which time the character, conduct and ability of each candidate are tested, and daily records made of the observations. In the appointments, neither political nor personal considerations have any influence.

The great principles upon which rest the Irish plan are, *First*, The subjection of the convict to adequate tests, by which his reformation can be determined, before he can be discharged; with the establishment of some means by which the reformed may be effectually separated from the unreformed.

*Second*. Such an application of the discipline, whether mild or severe, as will reach the particular case of the prisoner, individualizing him in his passage through the various stages of his seclusion.

In the progress of the prisoner through the discipline of the Irish System, there are three stages of imprisonment. The first is strongly penal, and is in the prison of Mount Joy, on the north side of Dublin. (We shall confine our explanation, for the present, to the application of the system to *males*.) There are in the prison 480 cells for males; the cells are fourteen feet long by eight wide and twelve high, and arched ceilings, and are properly and comfortably supplied. Each prisoner has a cell. The confinement is *separate*, but the exercise, the instruction and public worship, are *social*.

In the cell the prisoner spends eight months closely confined, with the exception above noted. The time cannot exceed twelve months. During the first four months the convict must sleep on a plank, with a box

for a pillow, with low diet, no meat, and steady work. At the end of four months he receives a bed, and his diet is improved.

By little and little the convict earns privileges; his cell is opened a part of the day, then all day, and he has secular and spiritual instruction. Zealous chaplains, Catholic, Episcopalian, and Presbyterian, give religious instruction, and lead in divine service, for which there are three neat chapels. Good schoolmasters are provided. Here the convict is made to understand that he is master of his own destiny; that his conduct, good or bad, will tell upon his position in that stage of his confinement in and by which his future position is fixed. The shortening of his sentence finally depends upon the date of his admittance into the intermediate prison (the third stage.)

## SECOND STAGE OF IMPRISONMENT.

At the expiration of the first stage (the stage of separate confinement, the length of which depends upon the marks for conduct which the prisoner has earned) the convicts are transferred to a prison in which they are employed on government work. If laborers, they are sent to work on the fortifications; if artizans, to Phillpotts-town prison, where they work at in-door trades.

In this stage, something of the severity of the first stage is remitted; though, in the early part especially, the prisoners are closely watched. They work together during the day, at night they have separate cells.

A great feature of the system presents itself in this, the second stage. It is the employment of marks to de-

termine the classification. The mark system is a perfectly intelligible monthly record of the power of the convict to govern himself.

The maximum number of marks attainable by a convict each month is nine, (9) viz., three (3) for "discipline"—that is, general good conduct; three (3) for "school"—that is, attention and desire shown for improvement, not the absolute proficiency; three (3) for "industry"—that is, diligence and fidelity in working, not merely the skill manifested.

There are five different classes in this "second stage," and a certain number of marks is necessary to advancement, beginning with the lowest, "Probation Class," "Third Class," "Second Class," "First Class," and "Exemplary Class."

There are rules touching the removal of prisoners from the "first stage," at Mount Joy, the place of separate confinement. Should any be sent on medical grounds to Pike Island or Phillipstown, the "second stages," they must enter the "Probationary Class." Some who leave the first stage with the mark "Bad," or very "Bad," must enter the probationary class of the second stage, and receive the treatment of food, and separate confinement, of the first class. All who come from the first class without "bad" marks, or with "good" ones, take rank according to the character they bring; and any convict in the second stage may rise from the second to the first class in six months with fifty-four marks, and from the first to the "Exemplary Class" in twelve months, by gaining one hundred and eight marks.

There are certain pecuniary rewards for good conduct,

rising in amount with the class rank of the convict. This amount, carried to his credit, may be forfeited by misconduct.

Misconduct is also noted, recorded and reported.

Punishments consist in admonitions, deprivation of a meal, close confinement, with bread and water, forfeitures of gratuities and other privileges, degradation to a lower class, or even to the discipline of Mount Joy, the first stage.

Books of record of all proceedings and conduct are kept. Classes are distinguished by dress and badges. Each prisoner wears two badges, a "register badge" on the right arm, to mark his sentence and "register number;" and a "conduct badge" on his left arm, to mark his conduct and progress. These badges are multiplied and varied in size and color, to denote conduct and class.

### THE THIRD STAGE.

After passing at least a year in the "Exemplary Class," (a longer period, if the length of the sentence requires it,) the convict becomes eligible for removal to what is called an intermediate prison—the *third stage*—where even the last slight props are, as far as possible, withdrawn, and the convict, to use a distinguished prison phrase, "is left to stand on his own legs." All surveillance is withdrawn—labor is performed without an overseer, conversation free—few restrictions are imposed—the gratuity is increased—freedom in the use of earnings, excepting the purchase of intoxicating liquors. Here the effects of former discipline is tested, and preparation is made for future entire freedom. Lessons and instruc-

tive lectures are enjoyed, and in the meetings of the half-freed prisoners, questions of various kinds, chiefly of social science, are discussed—and often well discussed.

#### FOURTH STAGE.

This Fourth Stage is not one of imprisonment, but a further and final trial. When the convict has been in the intermediate prison (the third class) for the prescribed length of time, (varying, according to the length of the sentence, from six months to two years,) he can claim the right of having the authorities consider the question whether he is entitled by his previous good conduct and character to his discharge on a *ticket-of-leave*.

The conditions of this ticket-of-leave are very stringent, and the departing prisoners are advised and aided, and while they are in Ireland they are carefully watched. But many of them go to the Colonies, more to the United States.

Many of these ticket-of-leave men find employment in factories and founderies, and on farms, and are preferred in many cases to the hands that have not undergone imprisonment.

The care of the Superintendent of the *Third Class* is extended over the prisoner as he goes forth with his ticket-of-leave—and in *that* care lies the great success of the system, perhaps; certainly of the Third Stage, as extended into the *Fourth*.

We have been speaking hitherto of the treatment of male convicts in the different stages of the Irish system, following the abstract in the New York report, or rather giving a meagre abstract of that interesting condensa-

tion ; and we have space now for only a very short notice of the treatment of FEMALE CONVICTS.

There is at Mount Joy, near Dublin, a convict prison for females, resembling in outward appearance that for males.

Every arrangement here seems to be complete ; and all the officers and their subordinates, are skilled in the treatment of the prisoners according to the system. The time and nature of the imprisonment is modified in regard to the sex, and something of what belongs to the second stage of the male prison is admitted in this the first stage for the female. The particulars are interesting, and the success of the system must greatly depend upon an exact performance of the rules. And we notice that in this stage of female imprisonment there is a little colony of infants—born in prison, or received under two years of age.

It does not appear that the female convicts have what is called the “intermediate,” the “*third* stage ;” its place is in part supplied by two excellent “female refuges,” which have been established in connection with Mount Joy, the first stage, one for Protestants and the other for Catholics.

In the PROTESTANT refuge the number of inmates rarely exceeds ten ; they are employed on laundry work, on which they earn a considerable sum.

They have hard work and poor fare, lest they should love the prison too well. The women get pretty good situations, and they are sought for ; some of them emigrate. They attend the parish church in a body, but as individuals.

The number under training in the ROMAN CATHOLIC institution presents a greater variety of character and occupation. Domestic work of all kinds—rearing fowls, milking, cooking, and washing, on a considerable scale, are all vigorously carried on. The dress of the women is cheerful, and the well-being of the inmates is promoted in every way.

We copy some remarks by Miss Jellicoe on these female refugees :

“These refuges afford the opportunity of doing for these joint heirs with us of immortality what has been so abundantly done for ourselves. Here they can be striven with as women, by women, won by love to the paths of virtue and respectability, made to feel that justice can be tempered with mercy, and established in a position where the fires of temptation may rage less fiercely and fatally around them.

“The fundamental principle on which the whole mechanism rests is one which must be acknowledged, by all who have studied the cause of human degradation, to be the only sound basis of permanent reform—the intelligent co-operation of the individual herself in the efforts for her own amendment. By placing a premium on qualities totally different from those which led into crime, the system gradually accustoms the prisoner to the loosening of the moral swathing bands by which she was at first restrained, and by infiltrating, as it were, habits of industry, self-denial and *self-respect*, without which no woman can be reclaimed, places her in circumstances to secure herself from a relapse into crime. To so comprehensive an aim is added the elevating influence of religion.”

To one who is seeking means for forming an opinion upon modes of prison discipline, the minutiae of detail are vastly important, and we regret, therefore, that we lack space to give as full an account of all the daily proceedings in the “Irish convict” prison as we have received. To one who has been conversant by long ex-



perience with the management of prisoners, it is evident that a knowledge of these details is as necessary to the comprehension of a system, as the practice of them is to the development of the system.

The "Irish system," it must be borne in mind, is for "convict prisons," where long terms are usual, the lowest term being five, and the longest fifteen years; and though in some of the county prisons in Pennsylvania there are convicts serving out twelve years, yet they are so few that they scarcely form a class upon which an experiment of the Irish system could be made. It is in the Penitentiaries that the experiment must be tried.

But before we proceed to inquire whether the Irish system is adapted to the circumstances of this country, it may not be amiss to ask whether any other system than that now in use in the Eastern Penitentiary is required for the punishment and the improvement of the convicts, and for the safety of society against the future felonies of these prisoners.

Few prisons, we believe, have ever been constructed with a more successful effort to secure the health of the prisoner, and his certain incarceration, than is evident in the plan of the Eastern Penitentiary. Very few escapes from its cells have been made by the convicts; and the health of the inmates has been almost universally good. The objection raised in some quarters against the system of separate confinement, fully adopted and carried out in this penitentiary, is that "it tends to produce insanity."

We are not able to treat this subject scientifically it is one that is the speciality of another profession; but

this we can say, that it does not appear that the minds of the inmates of the Eastern Penitentiary have been injuriously affected by their separation from intercourse with other felons. An inquiry shows that if the number of insane in the Penitentiary is proportionately greater than in society at large (which we do not know) it is certainly not greater than in other penal institutions where the associate system of confinement is practised.

Because a prisoner becomes insane in his cell, it does not follow that it is the cell that makes him insane. Mortification at detection and conviction may operate to produce insanity in one who had been born in affluence, and reared with respectable persons; reaction, in consequence of withdrawal from active and perhaps dissipated life. Those who are conversant with prison life know that there are other causes for insanity as operative in the associate as in the separate system. And it has appeared to us that in inquiring for the cause of insanity of a prisoner, people fail of ascertaining the true cause, by supposing that nothing but imprisonment has produced that which is only more fully developed in the prison. If we go back we may, perhaps, find in the crime for which the criminal is suffering an evidence of his insanity. Jostling in society, passing from one business to another, or obstructed from social intercourse by excessive devotion to one kind of employment, the peculiarities of language and conduct escaped close criticism; men are sometimes said to be "odd," "eccentric," "given up to business," "oil—coal—money making is on the brain." The silence and the solitude of the convict cell may not make the unfortunate man worse, but it

will enable others to judge more correctly of his mental condition, and failing of the diversity of pursuits, and of numerous associates, by whom his conduct is judged only by parts, he will present the real state of his mind for a correct judgment. The whirl of active business life made his plans and his language present fair combinations and sound deductions, as the rapid movement of certain toys present pleasant combinations; but the stillness and quiet of the cell show the poor man's mind broken, as the resting of the toy exhibits the elements or broken figures of which the moving picture was composed.

In any comparison between the separate (the Pennsylvania) system and the Irish convict system, it is proper to recollect that one great argument in favor of the separate system is derived from the fact, that the convict in one cell of the Penitentiary knows nothing of the name, condition, or crime of his next cell neighbor; and hence the "amended" and discharged convict is not in danger of exposure and mortification by the enforced association of some "Penitentiary companion," while the ticket-of-leave man, who is trying to do well, is always in dread of being discovered by some companion of his "second stage," who has got his ticket-of-leave, but has not acquired resolution to do right. This unfortunate recognition has often overcome, and almost as often resulted in the ruin of the man who had tried to do well, while we have numerous instances of men serving in the same factory, the same iron works, in the same military company in time of the war, and enjoying considerable intimacy without either recognizing in the

other his fellow-prisoner for years in the Eastern Penitentiary. The same thing has occurred with men who were for two years contemporaneously confined in neighboring cells in the County Prison. The fact became known to the writer hereof through the reception, by their moral instructor in this city, of a letter from each of them, who were in the same regiment, and each had the same thanks to return, the same promise to make, and above all, each was rejoicing that he had got away from companionship with bad men, and was where no one knew that he had ever been a tenant of a prison cell. Yet each of these men occupied at the same season a cell in the County Prison, the one having cell H., and the other K., and were visited several times each week by the same moral and religious instructor. Surely this is a most important result, and well worthy the consideration of those who desire to have the prison a place of improvement as well as of punishment; who desire especially that the repentant and discharged convict shall not be frightened from his propriety by the appearance of one who was an associate in vice and its punishment, without having shared in the repentance and reformation.

It will be understood that it is not alone the actual recognition of a former companion in crime and imprisonment that does injury to the repentant offender, but knowing that very many with whom he was in daily and nightly intercourse while he was undergoing punishment in the "associate system," or the "second stage" of the Irish convict system are abroad, he lives an unsettled life wherever he may be, startled at every ap-

proach of a new face, lest he should recognize therein the features of some former companion, who might disturb all of his plans for good conduct, and drive him from the home in which his new virtues were taking root, and where his resolutions of good were beginning to be realized. "The thief doth fear each bush an officer;" but it is not arrest that the discharged convict dreads, it is exposure, or its terrible alternative of renewed crime.

We have thus, "in passing," noticed one point of great importance in the consideration of the separate and associate system, of the Pennsylvania and the Irish convict system. One can scarcely overrate the value of the result of separate confinement upon the discharged convict.

We have already expressed our views of the importance of carefully carrying out a system of prison discipline, and we are free to say, that we have rarely heard of any system more admirably administered than is the Irish system, as it is now presented for public consideration and approval.

### IS THE IRISH CONVICT SYSTEM PRACTICABLE IN PENNSYLVANIA?

That is an important question.

To carry out the Irish system in this State, there must be prisons constructed for the "first stage," with means for confinement and labor such as are not now to be found. And the "*second stage*," seems to be equally unadapted to any building or situation which we now possess. And the "*third*," or what is called the "inter-

mediate stage," has nothing analagous in this country. And the "*fourth* stage," that is ticket-of-leave, would be without effect upon the convict as the different laws of our several States, and the ease of changing position, would enable the "ticket-of-leave" man to renew his depredations upon society with little or no chance of detection; his ticket-of-leave would enable him to leave the county or State in which his former crimes were committed, but would do little towards preventing his felonies, or securing his arrest.

There is no police in this country equal to the necessities which would be created by the use of the ticket-of-leave. Men do not bear their tickets-of-leave upon their forehead, like a Phylactery, nor suffer it to depend from the coat-breast, like an order of nobility. The ticket will serve to assist the bearer, should he be recognized by some who knew of his crimes, or had seen him in punishment, and it might thus prevent his forcible restoration to the prison which he had recently occupied. But the convict will not, under other circumstances, exhibit the badge of existing allegiance to a penitentiary; and he may depredate at large with the proof of his *reformation* in his pocket. It is true that he will not be *more* free to travel and to do wrong than those who have not been arrested, but he will travel, and may depredate with all the experience of his former life, and all the instruction of his prison association, and will be doing these and other wrongs in the very time which was presented to him for prison discipline.

We note, as one very strong objection to the adoption of the "Irish convict system" in this country, the almost

impossibility of using the ticket-of-leave. The want of a police to keep the "ticket-of-leave man" under the surveillance necessary to make the liberty of the ticket useful to him without being dangerous to the community.

On this view of the subject two points present themselves. Ireland is small, geographically considered, and the ticket-of-leave man is easily watched, and his movements noted. Should he cross the Channel to Great Britain, he would be almost as well known and as carefully watched as if he were in Ireland. Should he use his freedom and come to the United States, as it is said most of that class of persons desire to do, and as many of them really do, then not only does the necessity of surveillance cease, but all responsibility is shifted, and the ticket-of-leave man finds a refuge from watchfulness and suspicion, and thus the country is freed from his presence.

But in this country the "ticket-of-leave man," seeks for no means or opportunity for emigration. There is no where else to go (of course, we are speaking of the ticket-of-leave man, who returns to bad habits, many of them, we hope, intend to do well and carry out their intention;) but for the bad, we say there is no where else to go. Dismissed from the Penitentiary in Auburn, with his ticket-of-leave well concealed, he could go to New York city, and be as safe from the police as if he had always been honest, or, if remembered there, and watched, he has Boston, Philadelphia, Baltimore within a day's ride; and even should there be some understanding between the police forces of the Atlantic cities, so as to expose the "ticket-of-leave man" to an unpleasant

surveillance, he can retreat to the West. Cincinnati, Louisville, St. Louis, Chicago, may conceal him, or if these fail, the Pacific and its slopes may afford him refuge and prey; and "the ticket-of-leave" man would have a world before him where to choose, without the necessity of leaving a country so ample as to allow him scamper-room for a lifetime.

The Irish convict system gets clear of liberated convicts by enabling them to leave the country where they would be known and marked, and to find a refuge where at least the good people of the Green Isle would not suffer by the abuse of ticket-of-leave freedom, and the English Government would not be taxed for their support, while the "ticket-of-leave" in this country would only send the bad of one State to renew their felonies in another.

The use of a ticket-of-leave is to allow a convict who has served out a part of his sentence to show that he has been lawfully set at large, should he be arrested as an escaped felon; but as that ticket-of-leave shows him to have been convicted of felony, he will, of course, seldom exhibit it to any one.

Not only is there in Ireland and Great Britain more police authority, more policemen employed in both Islands than we shall ever see in this country; but there is *there* a full correspondence among the police, and a general concurrence of authority not known, not possible, indeed, in this country; and, consequently, the released convict has every thing to fear in that country, should he expose himself to re-arrest, while in the United States the police is sparse, and there is very



little in common between those of distant parts of the country.

Again, authority lacks respect in this country. We will not pursue that idea; but it is certain that there is not in this country that habitual regard for public authority which is found in Europe, and consequently there is less fear of that authority, whether that fear has reference to the chance of detection, or, if detected, then to the chance of punishment.

The New York Report, to which we have referred with great respect, (the utter failure of the New York prison system being evident,) suggests the adoption of the "Irish Convict System." But that system would involve the necessity of new buildings, at immense cost, and finally, or rather consecutively, the purchase and maintenance of farms. We do not pretend to say what the circumstances of the New York higher prisons suggest by way of remedy; but we think we are safe in saying that Pennsylvania is not prepared to erect experimental buildings at a great cost, when the system upon which her Penitentiaries are built and conducted is opposed chiefly by those who have not the means of testing the efficacy of that system, and seem to present and commend other systems chiefly because the old castles, convents and charity-houses enable them to coop up in crowds their recently convicted, but fail of space and convenience to continue them through a sufficient term for improvement.

Before closing our paper, we wish to state distinctly that we have received from no papers on prison discipline more pleasure than we have derived from those in

the New York Report. They are ably written; they denote a heart in the work; and if we did not know of a better system, or a system better adapted to the circumstances and habits of the people of this country, we should say that the "Irish Convict System," as presented by the New York Society for adoption in the State of New York, is not only worthy of consideration, but really deserving of adoption in other States.

We have in Pennsylvania a better system than that which has its initial point near Dublin. The "Irish System" commences with separate confinement, and illustrates, as far as it goes, the advantage of that system, but it defeats the ends which that system proposes and secures when fully practised, by resorting, in the second stage, to the congregate system, and continuing through all the imprisonment, the means by which convicts may cultivate acquaintance with each other, and strengthen resolution to renew depredation when released.

What has rendered the Irish Convict System so practicable, is the circumstance which we have already noticed as peculiar to that country, or to some other European countries. What has made the Irish Convict System so successful, is the admirable manner in which it has been administered. The appointments of all kinds—Inspectors, Directors, the Governor, the Keeper, the teachers, and the religious instructors, all receive their appointments and hold their places without regard to *party politics*. The clergymen represent the three great theological divisions of the country, viz., Catholic, Episcopalian and Presbyterian.

Thus the business of conducting a prison is raised

from the drudgery of keeping close, and imposing and enforcing tasks, to the dignity of making that close keeping the great means of moral and mental improvement, and rendering the imposition and enforcement of tasks the means of future usefulness. Certainly the Irish Convict System has shown itself greatly useful in that connection and to that end.

But keeping in view the difference in the habits of the people, the circumstances of the countries, and especially the difference in extent of territory, and the effect of that difference on the operation of prison system, we have to offer an opinion, that in all respects the great system of prison discipline adopted in the Eastern Penitentiary of this State, is of all others in the world the best, and the results have shown to the satisfaction of close observers that all that could be rationally expected from the discipline of great offenders have resulted from the application of the system to that prison; and those who are most intimate with the interior workings of the Institution, and have possessed and used opportunities to test the benefit of the system as illustrated in the subsequent conduct and condition of those who have been its enforced inmates, declare that, if all their sanguine expectations, formed before they had studied the circumstances of felons, had not been realized, they are almost astonished at the beneficial results of the application of the system, now that they possess the means of judging of the great difficulty of reforming a convict.

We see in the details of the proceedings in the prisons for Irish convicts, means for improving the character and conduct of the convict; and we wish to express our

hearty approval of the means used in the Irish prisons to make better the miserable people who have to serve therein from five to fifteen years, unless the term be a little shortened by the proof which they can give of amended principles.

But while we laud these plans, and, in the name of humanity, thank those who officially or voluntarily promote the good work, we have to say in the first place, that much of what is practised in the Irish convict cell, and is so warmly and so fully applauded, is also practised in the Eastern Penitentiary of Pennsylvania with equally good effect; and in the second place, we venture to assert that what has been practised in the Irish convict prisons, and in them alone, with such signal benefits to the outgoing prisoner, and through him to society, is better adapted to and more practicable in the Eastern Penitentiary of Pennsylvania, than it is in the prisons of Ireland. Of course we do not allude to the association of convicts in the second and third stages in Ireland, nor the "ticket-of-leave," which is the fourth stage, as adapted to our prisons.

The use of marks, which is the foundation of the Irish system, and the opportunity of shortening the period of imprisonment by good conduct, are even more suited to the Pennsylvania than to the Irish system. Indeed, an Act of Assembly of this State directed the Keepers of the Penitentiaries and Prisons to keep a record of the conduct of convicts, and to permit a certain degree of improvement to work a shortening of the sentence pronounced by the Court. The law was regarded as including the cases of those in prison at the time of its

passage, and, from that and some other causes, was considered by the Court as unconstitutional, whether that was the exact point made or not, is of little consequence.

There is no doubt that the Legislature of the State can pass a law authorizing sentences so to run as to be shortened by the good conduct of the convict; and if the law to which we allude be not sufficient, in consequence of the *ex post facto* character of some of its provisions, or from other causes, a bill could be easily framed that would meet the case. And with that in operation, one great point, perhaps the most important point of the Irish system, (*regarded as separately from its execution,*) would be attained.

The great objection to the "Irish Convict System" is the association of the convicts, an association which is permitted where there are with them no restraints of authority, and a word or a sign of an old offender might awaken in the heart of the half-repentant felon a love of the crime for which he is being punished, and a resolution to use all means to complete the work of mischief which he left unfinished when at liberty.

To us it seems a terribly retrograde step to go back to the associate system. All the reports that we read from Great Britain touching prison discipline, concur in the statement that *just in proportion to the entire separation of the convicts is the chance for improvement*. Every where we have the testimony of discharged prisoners, that their resolutions of good have been weakened by association, and their attempts at well-doing when discharged, have been frustrated by the intrusion of their old prison companions.

Prisoners we know are fond of association, (generally, not always,) and are anxious to show how strong they are in their new resolves. It is perhaps better to strengthen their newly-formed resolutions, than to expose them to a too early trial, almost insuring the very evil against which the trial was intended to guard.

“Wouldst thou approve thy constancy, approve  
First thy obedience.”

It is said that the “stages” of imprisonment in Ireland serve to accustom the prisoner to liberty. Why, he knows well enough what liberty is; he has enjoyed it even to licentiousness. He knows what the world and what society are. What he needs is separation from the world and from the kind of society in which he mingled, and in which he earned a place in the prison. He has seen enough of the very men with whom in this progressive stage he is to be permitted to associate. What he needs is the companionship of the good, not to be preached to always, but to *feel* that what is said and done is correct, and may be imitated, because it is said or done by the good. Let his moral strength be acquired in a pure atmosphere, and amid sights and persons that are unassociated with past evil. Let him feel that he is by virtue, working out his early discharge from prison, and by separate confinement, assuring to himself in liberty, a certainty of not having his crime proclaimed, and its punishment made a hindrance to future good.

A strong tendency to adopt or approve some substitute for the system of separate confinement is found in

the minds of many excellent persons, earnest seekers for the best system, and devoted advocates of what they think right. And this great error arises from a misapprehension of what constitutes the separate system. They confound the *separate* with the *solitary* system, and dwell upon cruelties and bad consequences of secluding a human being from all association with his fellow-man, and shutting him out from the view of the "human face divine."

The convict, in *separate* confinement, is only *separated* from all knowledge of the character and conduct of his fellow-prisoners, and all intercourse of any kind, with them. But that is not *solitude*. Frequently each day he sees the keepers. Every day he may converse with the stated religious and moral instructor; and he may have constant intercourse, almost continued companionship with some of those who voluntarily visit his cell to promote his good. Of whatever crime he may have been convicted, the law of this State opens his prison-door to any and to every member of the Acting Committee of the Prison Discipline Society; and his friends and relations of good character have frequent opportunities to visit him. Surely that is not *solitary*.

The convict in the Eastern Penitentiary of Pennsylvania may have just as much good society, just as many moral instructors, just as much moral instruction as the convicts in the Irish Penitentiaries. The convict here, may prefer the out-door liberty of the Irish system, but it is respectfully submitted (as the lawyers say) that it is the punishment and the reformation of the convict that

are the object of imprisonment, and not the gratification of his wishes.

Every advantage to a convict attainable in the Irish system is as easily obtained in the Pennsylvania system, with many, very many securities for the future well-doing of the convict. The only exception we notice to this is the fixed plan, in Ireland, of assuring to the convict the means and opportunity of shortening his imprisonment. That, in a small degree, exists in our laws, but further legislation is required to make it effective and sufficient.

What Pennsylvania needs is, *First*, A plan for making all the prisons of the State from the Penitentiaries to the County Prisons, directly responsible and accountable to the Government of the State, with such a connection in system and administration, as will give to each the benefit of any improvement which may, by better administration, be effected in others.

The system of separate confinement has been tried, and is approved ; and many of the county prisons are now constructed for the separate confinement of their prisoners. The county prison in this city only needs additional cells to restore its administration to the Pennsylvania system.

*Second.* We need an extension of the separate system, and the watchfulness and devotion which shall ensure a full and perfect accord in all the prisons of the State ; and we need such an administration of each Penitentiary and prison, as that which commends to so large approval the Irish Convict System.

It is vain to talk of systems without including careful



administration. It is useless to compare one system with another, without regarding the effect of administration on the character of each system; and in comparing one system with another, it is of vast importance to know all the circumstances by which the administration of each is effected.

In comparing the Irish system with any system in the United States we must, to satisfy ourselves or others, understand the difference between the two countries in the means of obtaining a living. We must understand the vast difference in the respect for, or fear of, authority, and that in the same person living in Ireland or emigrating to the United States.

If we would comprehend the difference between ticket-of-leave men in Ireland, and the same class of ex-felons in this country, we must appreciate the ease with which the "ticket-of-leave men" get away from the surveillance of Ireland to the liberty of the United States, or, rather, we should say, the facility with which Ireland gets rid of her ticket-of-leave men by emigration, and the improbability that our own rogues, or our imported "ticket-of-leave" men will quit the country for any field of action, and with the expectation of finding any other, so ample, so productive, so safe.

In presenting a statement of what is called the Irish system, and comparing it with the Pennsylvania system, we have felt the want of "statistics." We sought for them in vain. Figures tell well in an argument where *numbers* are concerned, for it is presumable that those who would form an opinion upon the comparative merits

of the two systems, desire to use their judgment upon the established claims of each *party* to preference, founded upon its success in the object for which it is established. Which system produces the most good, which the nearest fulfills the great object of penal laws, by making the transgressor feel that his way is hard; and, most of all, which the nearest accomplishes the great work of sanctified humanity, by improving the morals and mending the condition of the prisoners. Figures might help us here; but we do not find any tabular statement of the final results of the instruction and improvement of the Irish system. They must exist, of course.

We find an extract from the Ninth Annual Report of the Irish Penitentiary, conducted on the Irish Convict System, which says that, from the beginning of the year 1856 to the close of the year 1862, the re-commitments for those discharged were 12.44 per cent. The Eastern Penitentiary of this State gives the number of convicts re-committed under the Pennsylvania System from October 25, 1829 to October 25, 1867, a period of thirty-eight years, as amounting to only 10.13 per cent., on persons discharged and liable to re-commitment. This result in the Eastern Penitentiary will be found set forth at large in a previous paper in this Journal; and we think it worth while to invite attention to the difference in the percentage of re-commitment, and to show that it is in effect much greater, much more in favor of the Pennsylvania system than appears from the naked figures.

The Irish system is new, and many even of its first prisoners could scarcely have accomplished their full

term, certainly, scarcely had time to get into "difficulty," if their improvement had anything like permanency in its character.

The Pennsylvania system has been in operation thirty-eight years, and a large number of its *graduates* have had time to regain their lost position in criminal society, and to be restored to their *alma mater*, the Penitentiary.

*Third.* Especially when it is recollected that the Irish Penitentiaries receive none for a less term than five years, and a large proportion for ten and fifteen years. While the Eastern Penitentiary is the recipient of convicts sentenced to one year, two years, three years, five years, and upwards, thus the prisoners of short terms supplying a large number to be recommitted, if the administration of the system should not improve their morals.

*Fourth.* Those most likely to be recommitted in Ireland, where the ticket-of-leave prevails, rarely remain in their own country after they have, by the use of their "ticket," by any means gained sufficient to pay their way across the Atlantic or the Pacific, while those discharged from our Penitentiaries, if not thoroughly improved, must pursue their bad calling where they are likely to find their way back to the Penitentiary, and thus swell the percentage of recommitments.

There has of late been a great influx into our prisons of English and Irish, men and women, convicted of "shoplifting," picking pockets, and kindred crimes. As these persons of course profess their innocence, it is difficult to ascertain what were their antecedents at home, but there is little doubt that they are graduates of peni-

tentiaries there, and holders of tickets-of-leave. The freedom with which one or two of the female prisoners of that class spoke to some of the Inspectors in this city proved that they were ticket-of-leave women, and their case was so similar in all respects to some other convicts, that there could be no doubt that they were all graduates of one school, if not all classmates of the same institution.

If the class of "ticket-of-leave" immigrants mentioned above, that crowd the cells of our prisons, do not swell the percentage of re-commitments at the Penitentiary, increasing the count, their leaving Europe to ply their calling here certainly diminishes the percentage of re-commitments in Ireland or Great Britain, whence they came.

The leading feature, the grand point in the Irish convict system, is what is called the "mark system, *devised*, it is said, by Captain Alexander Machowochie. This mark system consists in keeping an exact account of the conduct of the convict, and allowing him a certain number of marks, "good for every day's good conduct," and placing against his name "bad marks" for violation of rules; and these marks are also used with reference to the labor of the prisoner, and the time of his imprisonment is shortened definitely by the amount of the good marks, or he is detained to or towards the full term of his sentence in proportion as his *bad* marks balance the whole or part of the *good*. This general principle is exactly that which pervades certain schools, academies and colleges in this country. In this city the merits of pupils are proclaimed by the number and

character of their "marks," and in the public schools these constitute the claim, or the evidences of the claim for candidateship to the High School. Undoubtedly this mode of noting the conduct and labor of prisoners—that is, the adaptation of the mark system to Penitentiaries—is good, and is productive of good; it holds up hope, and it satisfies not merely the officers of the prison, but the prisoner himself, that he is capable of good.


We ought to add, also, that on examining the report of the large prisons and penitentiaries of Scotland, we find mention made of the use of the mark system as applied to labor, but not to conduct. Yet it appears that bad conduct diminishes the value of good marks for labor. In the large prisons of both England and Scotland there seems to be only a partial adoption of the great principle of the Irish Convict System, and hence the administration of that system in these prisons is defective, and the good effects diminished. It is true also that in England and Scotland most of the prisons are remains of buildings erected for some other uses, or on the old (want of) plan; and here the adaptation of the house to the new purpose is very incomplete, and we may as well add that almost every system in Great Britain, however beneficial its object, and how new may be the views of the author, is, in its application, made to retain a portion of the antecedents of the place, and thus to perpetuate so much error; and, in our opinion, the Irish Convict System is obnoxious to the charge of being only a partial improvement, and what is considered as its success in diminishing the number of convictions, is less due to its power to improve the convict, and return him to society as a

useful member, than to the peculiar circumstances of Ireland and other countries, which induce the ticket-of-leave man that passed through all the stages of the Irish Convict System to leave that *home* where a repetition of felony might subject him to additional discipline, to find another home, where there are fewer chances of detection, and where punishment consequent upon conviction would be modified by the consideration of the first offence.

We approve of much of the Irish Convict System of discipline. But we say again, that the advantages thereof would be doubled to the prisoner if the "marks" and "gradations" were used in an institution where each prisoner could be kept separate from every other convict, and made to modify his punishment by the character of his conduct and the result of his labor. We see a great difficulty in carrying out this plan with perfect impartiality, but it can be done; if it is done in Dublin, it can be done in Philadelphia. But in the name of humanity, in the name of public security, in the name of religion, pure and undefiled, let not the tenants of our penitentiary cells be sent forth, even though credited with thousands of marks for good conduct and good work, to meet the allurements of prison companions, or to live in the hourly apprehension of detection and exposure. The pride of the man in his newly-established credit may be to some of less consideration, inasmuch as he was a felon, but the pride of the man, with the pride, character and prospects of his children, appeals to the best feelings of the human heart. Let the door of the Penitentiary, as it closes upon the convicted felon, shut

him close from all association with bad companions. Let the door of the Penitentiary, as it opens to send forth the repentant and reformed man, permit no knowledge of repented errors to follow him—no fellow-prisoner to haunt his steps and destroy his plans of good.

Give us the Pennsylvania system, and all the aids of philanthropy and religion with which the Irish system is supplied, and it appears to us that nothing need be added but those future improvements which success shall from time to time suggest.

 And may a good Providence deliver us from the evil of attempting to coin money out of the crimes of our fellow beings, by sacrificing the moral and religious interests of our prisoners to the desire of making a prison a source of pecuniary profit. In this matter at least we “cannot serve God and Mammon.”

---

## FOREIGN REPORTS.

We have received the Prison Reports from Great Britain. They contain the usual details, and show that whatever is done has with it a system, and the reports are all so connected and so correspondent, that a single glance at the tables shows what has been done in every prison in England and Scotland.

England, perhaps more than any country, is wedded to the past. She considers many habits as privileges, and is cautious how she disturbs them. A great pressure is required to change any plan, and even the new

scheme may be ruined by the large amount of elements which love for the past brought over from the predecessor. In prison matters England seems much more inclined to try to make existing means do the work which new discoveries suggest, and adaptation rather than full change is the cause of the slow progress of prison improvement in Great Britain.

The Committees of Parliament report what the Governors and Inspectors of "Gaols" and Penitentiaries declare, viz., that just in proportion to the isolation of a prisoner from his fellow convicts are the chances and hopes of his improvement. Let us rather say that isolation is the means of improvement. The local authorities, induced by the cost in the changes of structure, and the deficiency in the buildings for variety in occupation for the inmates, adhere to most of their old system, and express confidence in some which lack the very ingredients upon which hope of success was proclaimed. The truth is, that people see and feel the cost of maintaining and punishing the violators of the laws, and they think that the remedy for all the evil is to keep down the cost, whatever may become of the culprit. The influence of reformation on society at large must of course be remote, and what is remote yields to the pressure of the present; and the consideration of how the convict may be punished at the least expense to society, takes the place of the idea of how he may be improved to the greatest moral good of society.

The expenses of the prison are diminished by the congregated labor of the convicts, and the future injury of society secured by the plans of future mischief which



the congregated system permits the prisoner to devise and promulgate.

Religious and moral instruction is provided for in the English and Scotch prisons, and clergymen and schoolmasters are employed and paid ; but the love of preaching to congregations defeats the great objects of employing a preacher, and the schoolmaster is compelled to acknowledge that in his classes something is learned in spite of his caution, which will perpetuate his employment.

The admirable system of reporting to a particular State officer the condition of each prison in the kingdom, is in full operation, and immense good results therefrom.

### FRANCE.

The Reports from France are interesting, as showing the good operation of the relation between all the penal houses of the Empire. There seems to be no new feature in the prison government of the country. The existing system is well administered, and the system of correspondence is almost perfect.

The influence of the Government of France upon all the departments insures perfect details, and hence an admirable administration. If the system of imprisonment was equal to that of administration, France would, of all countries, undoubtedly present the best national plan of dealing with public offenders.

We have marked for comment some papers prepared by M. L. Bonneville de Marsangy, from a periodical in Paris, but our comments upon the "Irish Convict Sys-

tem" will be found equally applicable to the plan of Mr. M., especially as he seems to have borrowed from Ireland a part of his scheme.

Mr. M., in the Essays, to which we allude, makes some mistakes in referring the Penitentiary system of Pennsylvania.

From M. Marsargy we have received a volume of about 235 pages, containing his views of the mode of dealing with bad boys. He recommends the establishment of colonies for lads under sixteen years of age. But it is evident that children removed from the care and watchfulness of their parents, must, when they leave the place of correction, whether it be colony or prison, require some helping hand, some watchful eye, and hence Mr. M. encourages the formation of societies to aid the discharged prisoner, or the lad who has served out his time in a colony. There was the great secret of success.

Mr. M. recommends "separate" or "cellular" confinement in the early part of a sentence. As he is speaking of the punishment of children, we shall not stop to discuss the matter with him, referring our readers to our remarks on the "Irish convict system" in that particular, but we cannot forbear to translate, for the benefit of our readers, Mr. Masargy's remarks upon the efficacy of separate confinement. He says:

"The cell alone, I repeat it, permits the prisoner, in silence and isolation, to examine his own heart, to listen to the voice of conscience, which the thousand disturbing causes abroad had stifled. Then, all alone, it permits good counsel and religious instruction to act

efficaciously upon the guilty soul, and to prepare therein a commencement of regeneration; finally, the solitary cell alone permits the repentant convict to yield to beneficial influences, safe from all false shame and revolting pride."

We do not know that we could have said anything more or better in favor of the Penitentiary System of Pennsylvania. It must be mentioned, therefore, that Mr. M. means as soon as separate dealing with the convict has begun to produce its good results, to cease the lesson, and open the cell, and put the pupil into the congregate imprisonment. We mean no disrespect to the able, the amiable, and the learned philanthropist whose words we have translated when we say, that the provision for "association" as soon as the benefit of "isolation" begins to appear, seems to bear with it something of a scheme to insure to society all the evil of bad association, and to perpetuate the work of prison discipline. Were it the object of imprisonment to perpetuate imprisonment, we do not see how the end could be better attained. Such a plan seems to realize the old scandal upon tinkers, that they so did their work as to ensure an early call for repairs. And yet Mr. Marsangy is a sound, hearty philanthropist, zealous and constant in good efforts, and would not for the world, or from pride of opinion, advocate that which he did not believe to be right.

## OBITUARY.

### WILLIAM SHIPPEN, M. D.

The Society has, in its annual publication, expressed its high appreciation of the character and services of its Vice-President. Mr. Shippen wished, and uttered a hope that he might be permitted to return once more to that philanthropic labor which occupied so much of his time at the County Prison, and which produced such marked and permanent benefits to some of the unhappy occupants of the criminal cells. Those who knew Dr. Shippen knew how fully he had earned the commendation which it was thought justice to the cause of humanity to bestow upon his labors; and if they indulged in the hopes which some of his co-laborers expressed, that he would be restored to active duties, they comprehended how readily the desire of that end should create a hope of its fulfilment. The fruition of that hope was not permitted; on the 5th day of June Dr. Shippen died at his residence in Walnut street, aged 75 years—a long life to those who look ahead, short to those who look back. In his case, that time had been chiefly dedicated to works of philanthropy; and thus had been usefully employed, and whether few or many years had been allotted to Dr. Shippen, his use of the time vouchsafed, gave importance to his career, and stamped his character as one of usefulness.

“That life is long that answers life’s great end.”

Dr. Shippen had distinguished himself in various enter-

prises of philanthropy, and his services were marked by a zeal and personal devotion which showed that he had weighed well the object, and comprehended the means of his association, and was bringing to the work a knowledge that made his zeal useful, and an earnest persistence in his labor that insured the attainment of a part, at least, of the objects at which he and his colleagues aimed. He seemed to comprehend the value of the Scriptural direction "Whatsoever thy hand findeth to do, do with thy might." Various associations for general and some for special good, received his valuable aid; and general instruction by public schools was assisted by his efforts.

But this Society has a specialty of labor, to which it refers, and to which it welcomes all who will volunteer assistance. It exists for a particular purpose, viz., "to alleviate the miseries of public prisons;" and to that great and good end Dr. Shippen gave cordial, generous, self-sacrificing assistance. The plans of this Society for the attainment of its object were assisted by his experience, and their execution aided by his efforts. He loved to mingle with the members of the Society in their monthly and quarterly meetings, and encourage them to renewed exertion by a truthful exhibition of the wants of the prisoners, and the success of efforts in behalf of the convict. Dr. Shippen knew the value of assistance to the unfortunate, and he knew the time and amount, whether in pecuniary form or by careful monition. He had always enjoyed a competency of the world's goods, and hence knew their exact value; and was not exposed to the danger of withholding charity

from a fondness of money, nor of lavishing means from any unfortunate ostentation.

There are more men who know how to acquire wealth than there are who know how to use it. Experience in these things teaches; and the more experience the greater the judgment in the charity, which is as often injured by lavish liberality as by close-handed withholdings. Well directed judgment, in these cases, is worth more than sudden sympathy; and, perhaps, it may be added also, that in the uses of that true philanthropy which meliorates the mental condition of the prisoner, a sound judgment often suggests a special devotion to an individual case rather than a diffusive use of time and advice upon a multitude.

Dr. Shippen had a word of monition and encouragement for all prisoners, but he had a happy art of discovering in the young offender the remains of goodness, and to these he sometimes applied himself with a zeal that ensured success. The smoking flax was not quenched; the little of home affection discernable was cherished and cultivated, and the possibility of surmounting the difficulties which detected fraud throws in the way of the would-be penitent, was dwelt on till the young inmate of the convict cell seemed to rise above the impediments of his condition, and cherish a *hope* that virtue would fully restore him to the path of life from which he had wandered; and in more than one instance that hope has been fully realized.

Dr. Shippen's character, his talents and education, placed him in prominent positions among those who associated for benevolent purposes, and the qualities that

placed him there reflected honor on the places, and he was justly reckoned among those who promote public good by the devotion of valuable time, mind, talents and liberal education to the works of good, in channels where the highest talents and the best of education find useful employment.

But it was in the cell of the convict that Dr. Shippen earned the affectionate respect of those whom similar pursuits made followers, at long intervals, of his most useful example. There, with the world shut out, he persuaded the erring to comprehend that their errors had made them prisoners; there he made them understand, that however those errors might injure them with the many, there were those who regarded them as brothers—brothers erring, brothers justly suffering—but still brothers, enjoying the good wishes of a few, and placed in a situation where their improvement would be encouraged and noticed by those who had the will and the means to aid them to put in practice good resolutions, to sustain themselves abroad while they were earning that confidence which is so necessary to success.

Great as have been the benefits resulting from those twenty years persistent visitations of Dr. Shippen to the cells of the convicts, and patent as are some of the instances, it is, perhaps, not in this world that the amount of his success will be known. Many, indeed, have gone forth and triumphed over difficulties, and regained position. These are known here, but it is probable that still more have profited by Dr. Shippen's ministrations, and yet have failed to achieve wealth or position, and have sunk down, amid their failing hopes in

this life, and rested content, and died happy, in the sanctified assurance of that "life which is to come," and to a knowledge of which, their prison teacher had raised their aspirations.

The well maintained classical education of Dr. Shippen made him an interesting associate with those whose minds had received similar advantages from study. The freshness of his recollections of the past made him ever an instructive companion of those who delight in the pleasant exhibition of rich experience. The tenacity with which he held the dogmas of the religion which he professed, showed his confidence in what he regarded as truth, while the willingness with which he bore testimony to good developments and extended charities in others, showed how beneficially operative in him was that Christian courtesy which chastens self-esteem and leads to a respect for goodness wherever found. He was fond of judging the tree by its fruits, and hence, when he discovered what he considered good qualities connected with the religious profession of an associate, he was willing to believe that those good qualities and benevolent works were the *fruits* of that profession, as he was earnest in referring to his own faith the credit of what the world admitted were good acts.

"The Society for Alleviating the Miseries of Public Prisons" comprehended all the qualities which made Dr. Shippen so useful to the condemned prisoners, and by the exercise of which he reflected so much honor on the Association. In conferring on such a member the office of Vice President, the Society felt that it was appropriating to its benefit the distinction which a long



life of practical philanthropy had secured, and attracting to itself the credit which its Vice President was acquiring by his faithful, unfailing services in the cells of the convicts.

The death of the Vice-President Shippen was, by the President, J. J. Barclay, Esq., formally announced at a meeting of the Acting Committee of the Society on the 20th of June, 1867, and the following action was had :

At a stated meeting of the "Acting Committee of The Philadelphia Society for Alleviating the Miseries of Public Prisons," held Sixth Month (June) 20th, 1867, the President announced, in feeling terms, the death of our late Vice-President, Dr. William Shippen ; whereupon the following preamble and resolutions were unanimously adopted :

Whereas, the Supreme Disposer of all things has, in His wise providence, removed from our midst our valued associate, William Shippen, M. D., a Vice President of the Philadelphia Society for Alleviating the Miseries of Public Prisons ; and whereas, the Members of the Acting Committee of the Society, justly appreciating the worth of their departed colleague, and desiring to express their sense of his merit and services, and to have the same recorded, do therefore

*Resolve*, That in the death of William Shippen, M. D., the members of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," have lost an efficient officer, and a beloved friend, who for many years zealously exerted himself to promote a judicious and enlightened system of Prison Discipline, and the reformation and welfare of the prisoner, and the community a virtuous and excellent citizen.

*Resolved*, That the members of the Society unfeignedly condole with the family of the deceased in their affliction.

*Resolved*, That a committee of three be appointed to communicate the above resolutions to the family of Dr. Shippen.

JOHN J. LYTLE, *Secretary*.

And at a quarterly meeting of the Society on the 25th of July, the proceedings of the Acting Committee, in respect to the memory of Dr. Shippen, were unanimously approved.

For nearly two years Dr. Shippen had, by a painful accident, been deprived of the pleasure of visiting the prison cell; but his beautiful example influenced others, and it was gratifying to hear the recipients of his instruction express their gratitude for his faithful services—faithful in monition as in encouragement; for all that time the Society and the Committee were deprived of the approving presence and encouraging language of the Vice-President. And now that he has gone, it is to be claimed as the credit of the Society that it appreciated the excellence of its working member, and hereby does honor to his memory as one who illustrated by word and example the principles of humanity by which he and his fellow laborers were “united in word and work.”

---

### FREDERICK A. PACKARD.

In the last year died FREDERICK A. PACKARD, Esq., long and advantageously known in Philadelphia for his labors in the cause of morality and humanity, and recollected with grateful respect by many of the senior members of this Society as one who loved the cause in which we are engaged, and contributed the use of his talents and education to the promotion of the plans for alleviat-

ing the miseries of prisons ; and he distinguished himself especially by his ability in conducting this Journal. He had withdrawn himself of late from active exertions in our behalf, but not from sympathy with our efforts, and wishes for our success.

Mr. Packard was, for a long time before his death, a great sufferer, so that, though humbly submissive to the will of Heaven in all the dispensations of pain, yet that pain taught him to welcome death, but to welcome it as part of that providence which led him to joy through pain, and to peace through antagonism. For such a man the survivors mourn only their own and society's loss ; death to him must have been gain.

—o—

The obituary portion of our journal is not likely soon to be left a blank. Time is making its mark on many of our members ; and infirmities, though touching not the energies of the mind, still diminish the activity of the body, and will soon make it the duty of the survivors to fill their places in the Society. The very energies put forth hasten the cessation of those energies, and the most active fall in their activity. But none feel that the work of gratitude is accomplished when those who have labored with us cease, unnoticed, from their labor. It is an evil when the righteous die and no man layeth it to heart.

And he who, mindful here of the honored dead, speaks their praises, and seeks to perpetuate their remembrance where that remembrance will be an incentive to self-sacrificing charities, he feels that the memory of his pre-

sence must soon be all that this Society can claim, and he desires that if his name be recalled among his surviving fellow-laborers, it may be as one who prefers that recollection to all the fame that misspent wealth or misdirected talents have ever achieved.

Meantime the work is before us and the duty obvious, unmistakable. The loss of a companion in labor should only stimulate to exertions that his loss may not be felt by the cause. And the consciousness that our death is at hand should only stimulate to new exertions, that the part assigned to us may not lack our consummating efforts, or that we perish without the true glory of having in one thing at least accomplished a good object; and let us leave for those who shall record our death, if not the fame of a Howard or a Fry, at least the recognition of the fact, that we were of those who loved our brethren of mankind.

All which is respectfully submitted,

JAMES J. BARCLAY, *President.*

Attest,	JOHN J. LYTLE,	} <i>Secretaries.</i>
	EDWARD TOWNSEND,	

*January, 1868.*

# CORRESPONDING MEMBERS

## OF THE

## PRISON SOCIETY.

---

Atlee, John L., M. D.,	-	-	-	-	Lancaster.
Allison, William J.,	.	-	-	-	Burlington, N. J.
Brodhead, William,	-	-	-	-	Milton.
Brown, Rapelas,	-	-	-	-	Warren.
Bent, Rev. Sylvester,	-	-	-	-	Beaver.
Benedict, A. W.,	-	-	-	-	Huntingdon.
Baker, John A.,	-	-	-	-	Bloomfield.
Burnett, E. W.,	-	-	-	-	Cincinnati, Ohio.
Bulkley, W. H.,	-	-	-	-	Louisville, Ky.
Buckley, Rev. M.,	-	-	-	-	Detroit, Michigan.
Conyngham, John M.,	-	-	-	-	Wilkesbarre.
Carpenter, Thomas,	-	-	-	-	New Jersey.
Curtin, Andrew G.,	-	-	-	-	Harrisburg.
Clark, Samuel D.,	-	-	-	-	New Castle, Pa.
Calvin, Samuel,	-	-	-	-	Hollidaysburg.
Curwin, John, M. D.,	-	-	-	-	Harrisburg.
Dix, Miss D. L.,	-	-	-	-	
Davis, William,	-	-	-	-	Stroudsburg.
Donalson, John F.,	-	-	-	-	Montrose.
Derrickson, David,	-	-	-	-	Meadville.
Douglass, John, D. D.,	-	-	-	-	Pittsburgh.
Dennis, Jonathan,	-	-	-	-	Washington, D. C.
Echroid, Henry,	-	-	-	-	Muncy, Pa.

Eaton, S. M.,	-	-	-	-	-	Franklin.
Elder, Cyrus W.,	-	-	-	-	-	Lewistown.
Frew, William,	-	-	-	-	-	Pittsburgh.
Findlay, John P.,	-	-	-	-	-	Mercer Co.
Foster, Henry D.,	-	-	-	-	-	Greensburg.
Fenton, John,	-	-	-	-	-	Johnstown.
Graham, Rev. S. Y.,	-	-	-	-	-	Somerset, Pa.
Gibson, M.,	-	-	-	-	-	Northumberland.
Green, S. Miles,	-	-	-	-	-	Huntingdon.
Hall, John, D. D.,	-	-	-	-	-	Trenton, N. J.
Howe, Dr. Samuel G.,	-	-	-	-	-	Boston.
Hayes, A. L.,	-	-	-	-	-	Lancaster.
Holliday, H. S.,	-	-	-	-	-	Brookville.
Howe, John W.,	-	-	-	-	-	Meadville.
Harrington, George D.,	-	-	-	-	-	Columbus, Ohio.
Harper, Colonel J. P.,	-	-	-	-	-	Indianapolis, Ind.
Ives, Timothy,	-	-	-	-	-	Coudersport.
Jones, Morris C.,	-	-	-	-	-	Bethlehem, Pa.
Jones, J. Pringle.	-	-	-	-	-	Reading.
Jorney, John,	-	-	-	-	-	Honesdale.
Jessup, William H.,	-	-	-	-	-	Montrose.
Johnson, Samuel P.,	-	-	-	-	-	Warren.
Janney, Richard M.	-	-	-	-	-	Baltimore, Md.
Kughns, Joseph,	-	-	-	-	-	Greensburg.
Lucas, Charles,	-	-	-	-	-	Paris.
Lesley, James,	-	-	-	-	-	Philadelphia.
Leiber, Francis D. C. L.,	-	-	-	-	-	New York.
Lott, Charles,	-	-	-	-	-	Lottsville, Pa.
Long, Henry G.,	-	-	-	-	-	Lancaster.
Lee, R. S.,	-	-	-	-	-	Uniontown.

Linn, Samuel, - - - - -	Bellefonte.
Little, Robert, - - - - -	Tunkhannoch.
Lawson, William C., - - - - -	Milton.
Lathrope, Samuel G., D. D., - - - - -	Joliet, Illinois,
McClure, Alexander A., - - - - -	Chambersburg.
Montgomery, Rev. James, - - - - -	Clarion Co.
McEnally, J. B., - - - - -	Clearfield.
McMurtrie, R. A., - - - - -	Holidaysburg.
Mann, John S., - - - - -	Coudersport.
Mercer, Ulysses, - - - - -	Towanda.
Marsangy, Bonneville de - - - - -	Paris.
Osterhout, Peter M., - - - - -	Tunkhannoch.
Olmstead, A. G., - - - - -	Coudersport.
Paxton, Joseph, - - - - -	Catawissa.
Pierson, John J., - - - - -	Harrisburg.
Perkins, Abraham R., - - - - -	Chester.
Penniman, Francis, - - - - -	Honesdale.
Pomeroy, Thomas, - - - - -	New Castle, Pa.
Perkins, Cyrus L, - - - - -	Johnstown.
Patterson, John S, - - - - -	Mifflintown.
Russell, Zenos H, - - - - -	Honesdale.
Rutton, James S., - - - - -	Beaver.
Roty, Edmund S., - - - - -	Mifflintown.
Riddle, Rev. M., - - - - -	Bloomfield.
Russell, Benjamin S., - - - - -	Towanda.
Rittenhouse, A., D. D., - - - - -	Wilmington, Del.
Sumner, Charles S., - - - - -	Boston.
Smeal, Robert, - - - - -	Glasgow.
Sherman, Alfred H., - - - - -	Milford.
Spencer, S. S., - - - - -	Erie.
Sutton, John, - - - - -	Indiana.
Stewart, William M., - - - - -	"

Stewart, S. Sewell,	-	-	-	-	Huntingdon.
Skinner, Rev. H. C.,	-	-	-	-	Michigan City, Ind.
Stute, Samuel,	-	-	-	-	Wheeling, W. Va.
Sullivan, John W.,	-	-	-	-	Jefferson, Indiana.
Tuttle, Asa C.,	-	-	-	-	Cleveland, Ohio.
Varrentrapp, George, M. D.,	-	-	-	-	Frankfort on the Maine.
Willetts, George,	-	-	-	-	Catawissa.
Wines, Rev. E. C., D. D.,	-	-	-	-	New York.
Woodward, Warren J.,	-	-	-	-	Reading.
Walton, Sydenham, M. D.,	-	-	-	-	Stroudsburg.
White, R. G.,	-	-	-	-	Erie.
Walker, John H.,	-	-	-	-	"
Wingate, J. D., M. D.,	-	-	-	-	Bellefonte,
Woods, David W.,	-	-	-	-	Lewistown.
Wier, John A.,	-	-	-	-	Harrisburg.
Young, Rev. Royal,	-	-	-	-	Butler.

*Ex. 14.13*  
*5.1.27*







NEW SERIES.]

[NO. 8.

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1869.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB PRINTER,  
Nos. 306 AND 308 CHESTNUT STREET.  
1869.

# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

S

NEW SERIES.

Enim

NO. VIII.

THE JOURNAL

OF

PRISON DISCIPLINE

AND

PHILANTHROPY.

e7

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787,

WITH APPENDIX CONTAINING PROCEEDINGS OF ANNIVERSARY  
MEETING, HELD JANUARY 8, 1869.

JANUARY, 1869.

---

PHILADELPHIA:

J. B. CHANDLER, Pa., 306 & 308 CHESTNUT STREET [GIRARD BUILDING.]  
1869.



**JUN 24 1927**

**ROOMS OF THE**  
**PHILADELPHIA SOCIETY**  
**FOR**  
**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January) 21st, 1869, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month 28th, 1869, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretary.*

*At a Special Meeting of the Acting Committee, held Second Month 3d, 1869, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYTLE,**

**SECRETARY.**

# TABLE OF CONTENTS,

## WITH AN ANALYSIS.

---

### **REPORT.**

Notice of proceedings of Acting Committee, . . . .	9
Division of the labor of the Society, . . . .	9
Results of efforts to improve prison discipline, . . . .	10
Commission appointed by the Governor, . . . .	10
Commission by the State of New Jersey, . . . .	11
Changes in the system of penitentiary discipline in New Jersey, . . . .	11
The teaching of experience with regard to systems, . . . .	12
Alleviating the miseries of prisoners, . . . .	13

### **EASTERN PENITENTIARY.**

Labor of the Committee, . . . .	14
Character of the discharged convicts, . . . .	14
Diminution of the number of prisoners received, . . . .	14
Various relations of the convict, . . . .	14
Natural relations, ages, social relations, . . . .	15
Habits, industrial relations, social relations, . . . .	16
Army prisoners, . . . .	16

### **COUNTY PRISON.**

Crowded state of male department, . . . .	17
Successful efforts for physical and moral alleviation . . . .	17
Faithful labor of visitors, . . . .	17



**FEMALE DEPARTMENT.**

The addition to the building completed, . . . . .	17
Diminution of the number of convicts, . . . . .	18
Result of separate confinement, . . . . .	18
Favorable results of new arrangement, . . . . .	18
Permanent improvement, . . . . .	19
Instruction continued, . . . . .	19
Benefits of knowledge acquired in prison, . . . . .	20
Continued benefit of separate confinement, . . . . .	21
Health of the prison, . . . . .	21
Means of preserving health in prison, . . . . .	22
Advantage of the peculiar structure, . . . . .	23
Advantage of female management, . . . . .	23

**AMELIORATING THE CONDITION OF PRISONERS.**

Importance of effort to aid the discharged convict, . . . . .	24
Need of additional organized efforts, . . . . .	24
Great value of existing societies in this city, . . . . .	24
Two instances to illustrate the importance of following with aid the discharged convict, . . . . .	25
Instances could be multiplied, . . . . .	27

**THE AGENT.**

Importance of the Agent's services, . . . . .	28
Character of those that need his services, . . . . .	29
Encouraging and consoling effect of his labors, . . . . .	30

**PRISON DISCIPLINE AND ITS ENDS.**

New and extended interest in the subject, . . . . .	31
Effects of different systems, . . . . .	32
Review of the Irish system, . . . . .	32
Bad effect of the "ticket-of-leave," . . . . .	33
Tends to send the discharged convicts from Europe to the United States, . . . . .	34

Instances of the avowal and attempt to do that wrong, . . .	34
Prompt action of the New York Prison Society, . . .	35
Evil effects of such a course, . . . . .	36
How "ticket-of-leave" convicts are enabled to reach this country, . . .	37
European writers praise the "ticket-of-leave," . . .	37
Change in the criminal laws required, . . . . .	38
The new prison systems of Ireland and France include separate confinement, . . . . .	38
Distinction between separate and solitary confinement, . . .	39
Solitary confinement unknown in the Pennsylvania system, . . .	40
All hopes of improvement must rest on separate confinement . . .	40

### **COMPARISON.**

The Irish System good as an improvement upon the former system in that country, . . . . .	41
Whatever is valuable in that system may, with advantage to itself, be engrafted on the Pennsylvania system, . . .	41
The separate system the only one for certain improvement, . . .	42
Necessity of officers of prisons understanding the character of the prisoner, . . . . .	42
Much depends on administration, . . . . .	43

### **DIFFICULTIES TO BE OVERCOME.**

Notice of Mr. Mahlon H. Dickinson's Reports, . . .	43
Advantages already resulting from investigation, . . .	44
Improvement in the prison, . . . . .	45
Necessity of Commissions of Prisons and Charities, . . .	45
They exist in Massachusetts and New York, . . .	46
Hopes of them in this State, . . . . .	47
Notice of Report of Pennsylvania Commission to examine Prisons, . . . . .	48

### **LETTER TO THE PITTSBURGH PRISON REFORM SOCIETY.**

Necessity for visiting prisoners, . . . . .	50
How they are to be visited, . . . . .	51

## CONTENTS.

vii

Delicate treatment required, . . . . .	53
Importance of the work and of qualification, . . . . .	55
Female visitors for female prisoners, . . . . .	56
Failure not to discourage, . . . . .	57
Hope necessary, . . . . .	59
Danger to the convict on leaving prison, . . . . .	59
Necessity of watching the discharged convict, . . . . .	60
Necessity of separate visitation, . . . . .	61
Separate instruction not opposed to social worship, . . . . .	61
Importance of the pardoning power, . . . . .	62
Visitors to avoid encouraging hope of pardon, . . . . .	63
Bad effect on the prisoner of a promise to aid in procuring a pardon, . . . . .	63
Sensitiveness of the convict, . . . . .	66
The particular crime for which the convict is suffering not to be particularly alluded to, . . . . .	67
Prisoner's general view of his own case, . . . . .	68
Instruction and kindness will enlighten him, . . . . .	70
In what spirit the work must be done, . . . . .	71

## **FOREIGN REPORTS.**

### SCOTLAND.

Improvement in the Report, . . . . .	72
Proportion of the sexes in prison—Repeaters, . . . . .	73
Cost of the prison, . . . . .	74
Cost of each prisoner, . . . . .	74
Rules for government, . . . . .	75
Temperance among officers enforced, . . . . .	76

### IRELAND.

Number of prisons and officers, . . . . .	77
Repeaters, . . . . .	77
Cost, . . . . .	77

**PRIMARY JUSTICE.**

Growing interest in the administration of penal laws, . . .	78
Necessity for an independent magistracy, . . .	79
Fault more in the system than in the officer, . . .	80

**OBITUARY.**

ISAAC BARTON.	81
---------------	----

Proceedings of the Society relative to his death, . . .	82
---	----

**OTHER SOCIETIES AND EFFORTS.**

Formation and labors of a Prison Society in Wilmington, Delaware, . . . . .	85
--	----

**INDIVIDUAL WORK.**

Letter from Jeremiah Willetts, . . . . .	87
His labors in Richmond, Va., . . . . .	87

**MAHLON H. DICKINSON.**

His second inquiry into the prisons of the State, . . .	89
Improvement in the structure of several prisons, . . .	90

**DR. OURT.**

His voluntary visits to many prisons in the eastern counties of the State, . . . . .	91
---	----

**CONCLUSION OF THE REPORT.**

Duties to be performed, . . . . .	93
They will be undertaken and the work prosecuted, . . .	94

**ANNIVERSARY OF SOCIETY.**

Remarks of the President, . . . . .	97
Remarks of Hon. J. R. Chandler, . . . . .	99
Remarks of Hon. James Pollock, . . . . .	112
Remarks of Hon. William Strong, . . . . .	118

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T .

---

WITH the close of another year is presented the duty of giving some account of what has been done in the twelve months past; what message that portion of time will take to the great Auditor of human acts.

If the value of labor is to be measured only by striking results, the Philadelphia Society for Alleviating the Miseries of Public Prisons might not consider the year 1868 as one entitled to special notice in the annals of its labors and their consequences. Nothing has marked its efforts to warrant general admiration, nor, beyond the single instance noticed in the obituary of Mr. Isaac Barton, has the Society been distinguished by any particular favor from those who use their means for the liberal support of the cause of philanthropy.

The plans of the Society include two divisions, which, while they are intimately connected in results, are so varied in their means and operations as to seem to bear little connection with each other.

One of these divisions includes the great system of penal discipline, with all the plans of government, and schemes of construction, the hygiene arrangements, &c. ; that is, the means of alleviating the miseries of *prisons*.

The other is the direct application of the means of moral instruction to the prisoners ; that is, the means of alleviating the miseries of *prisoners*.

On a review of the labors of the Society, as it regards the first branch of its duties, there seems to be less to report than there was in the two preceding years ; not that the object has been neglected, or the interest of the Society therein at all diminished, but that, as was intended by the Society, the interest in the improvement of prisons and prison discipline has been communicated to other bodies, and the Legislature of this State, and of some adjoining, have recognized the truth of this Society's teaching, viz., that the great work of correcting prison measures was theirs ; and that work has been commenced and prosecuted in a way that warrants the hope that, before long, there will be in Pennsylvania a fixed plan of directing the public charities and penal institutions which will do honor to the State, by uniting and directing the administration of all such institutions, so that they shall produce the greatest good to the always lessening number.

The Legislature of this State authorized a Commission to inquire into the administration of prisons, with a view, perhaps, to the establishment of discipline for a new (a third) Penitentiary, to be erected in the centre of the State. That Commission, composed as it is, would not confine its inquiries to any small question of discipline,

but would, as we learn it did, extend its investigations into all that concerned prison structure, penal laws, and prison discipline; and we know they entered upon their work with evidence of determination to inquire, not for the purpose of strengthening preconceived opinions, but to find a theory, or admit one that should have with it the force of experience, or such convincing qualities in the detail of its plans as would justify its adoption without much experiment. That Commission will probably report to the Governor before this notice of its existence can reach our readers.

It is another strong proof of the new interest in prison discipline, that the State of New Jersey has also appointed a Commission to institute inquiries as to the operation of various plans of prison management in different States. And the composition of that Commission is such as shows the importance which the Governor of New Jersey attaches to the inquiries submitted to them; and we can also bear testimony to the judicious zeal with which they prosecuted their labors within our observation.

New Jersey commenced her new Penitentiary administration upon the separate system, or, as it is sometimes called, the cellular plan; but, whether from careless administration, or from some misconception of effects by the medical officers, the system was changed to the "congregate" plan. The charge against the "separate system" was that it tended towards insanity, "and some of the convicts went out of their minds;" the result of the congregate system has been the production and pro-

pagation of criminal plans, and many broke out of prison.

The evils of the congregate system were so great and so manifest that the question was, shall the old separate system be re-adopted, or shall there be made inquiries whether there are not some improvements by which even the "separate system" may be made productive of additional benefits. That Commission has not yet reported. We look with interest to the result of its inquiries, as we do to the report of the Pennsylvania Commission. We are certain that the separate system of confinement must be the basis of any plan for the improvement of the prisoner. What addition to existing regulations; what modifications, after a certain amount of separation, may be recommended, we, of course, do not anticipate. Perhaps there will be the idea, which we must deprecate, that which we think degrades the State while it defeats the purpose of imprisonment, we mean the plan of "making money" by the establishment and maintenance of penitentiaries, "self-supporting prisons," profitable penitentiaries. But we shall refer to that subject in another place.

It is gratifying to perceive that the spirit of inquiry is rife; we know it will be abundantly beneficial; some erroneous conclusions will be reached, but the same spirit that led them forward, beyond *some* errors on this side, and other errors on the other side, will, as soon as their theory shall have the illustration of practice, impel them forward to the correction of the remaining errors. We hope everything from the inquiries that are now in progress, and from the character of those



who are officially engaged in the investigation, we know that we have very little to fear from any slight error which may be made. When the interest is so important, and the intention so good, and ability so manifest, entire confidence may be reposed in the conclusion.

In the second branch of the duties which our Society assumes, viz.: that of alleviating the miseries of *prisoners*, by making their incarceration a means of improvement as well as a punishment, the Acting Committee of the Society have, by the disposal and labors of its members, and the efforts of its agents, been more immediately successful; that is, the fruits of its labors are more direct and obvious.

It is known to the readers of the Journal that the Acting Committee of the Society divides its labors in the second branch of its duties between the County Prison and the Penitentiary, assigning a portion of its members to duties in prescribed boundaries in each of these prisons, giving to each one such a part as he thinks he can perform.

---

## PENITENTIARY.

The sameness of the doings of the Committee is such, that any report that we could make would be but a repetition of last year's.

With the aid of our colleague, Dr. Ourt, the Secretary of the Penitentiary, we are enabled to append some statistics that may be interesting:

The Committee on Discharged Prisoners have attended to their peculiar duties to the best of their ability. Clothing has been furnished when required, and occasion sought to give the prisoner, before his discharge, good counsel and advice, to guide him on regaining his liberty and resuming his station in society.

During the current year, to October 1st, 209 prisoners were discharged, viz: 188 white males; 16 colored males; 3 white females; 2 colored females. Their method of discharge was as follows: by expiration of sentence, 155; pardoned, 34; died, 6; removed to County Prison, 13.

Of those discharged during the year, 36 came to prison illiterate, 4 of whom learned to read—6 to read and write—26 to read, write and cipher. Eleven (11) read imperfectly, all of whom improved in reading, and learned to write, and 10 to cipher. Nine (9) could read and write imperfectly, all of whom improved and learned to cipher.

Although not strictly within the purview of the Committee's duties, I would call your attention to the decrease in the number of prisoners received this year, in comparison with the same period of 1867. This decrease is shown in the number of minors received, number of illiterate, and also of army prisoners.

The following statistics of the number and percentage of convicts received last year, as compared with those received for a corresponding period of this year, is presented on account of many interesting facts it contains:

#### NATURAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
White Males, . . .	193	86.16	162	85.26
White Females, . . .	2	.89	3	1.58
Colored Males, . . .	29	12.95	25	13.16
	<hr/> 224	<hr/> 100.00	<hr/> 190	<hr/> 100.00

## AGES.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Under 21, . . . . .	47	20.98	34	17.09
21 to 30, . . . . .	112	50.02	94	49.48
30 to 40, . . . . .	45	20.07	34	17.90
40 to 50, . . . . .	9	4.02	18	9.47
50 to 70, . . . . .	11	4.91	10	5.26
	<u>224</u>	<u>100.00</u>	<u>190</u>	<u>100.00</u>

## SOCIAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Unmarried, . . . . .	122	54.46	106	55.79
Married, . . . . .	89	39.73	70	36.84
Separated, . . . . .	6	2.68	3	1.58
Widowers, . . . . .	7	3.13	9	4.74
Widows, . . . . .			2	1.05
	<u>224</u>	<u>100.00</u>	<u>190</u>	<u>100.00</u>

## HABITS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Abstainers, . . . . .	39	17.41	34	17.89
Moderate Drinkers, . . . . .	111	49.55	99	52.11
Once Intemperate, . . . . .	60	26.79	41	21.58
Intemperate, . . . . .	14	6.25	16	8.42
	<u>224</u>	<u>100.00</u>	<u>190</u>	<u>100.00</u>

## INDUSTRIAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Unapprenticed, . . .	186	83.04	160	84.21
Apprenticed and left, .	20	8.93	17	8.95
Apprenticed and served out their time, . .	18	8.03	13	6.84
	<u>224</u>	<u>100.00</u>	<u>190</u>	<u>100.00</u>

## LOCAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Americans, . . . .	176	78.57	143	75.26
Foreigners, . . . .	48	21.43	47	24.74
	<u>224</u>	<u>100.00</u>	<u>190</u>	<u>100.00</u>

## ARMY PRISONERS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Served in the Army, .	135	60.27	104	54.73
	<u>135</u>	<u>60.27</u>	<u>104</u>	<u>54.73</u>

## COUNTY PRISON.

While the state of the cells, containing from two to four prisoners, in the Male Department of the County Prison continues, little can be hoped from the labors of the visitors in behalf of the morals of their respective clients. Something, of course, is attempted in that direction; more is done in the way of physical comfort; more in providing employment when the term of imprisonment is complete, and still more in aiding the prisoner to return to his family.

Nor is it just to say that because the instructions and advice of the visitor seem to have left but slight impression on the mind of the prisoner, therefore the labor has been in vain. It is impossible to say what may be the later effect of these lessons, recalled at some moment of difficulty; and it would be contrary to the experience in that particular, if much good were not ultimately derived from those lessons of kindness. Much more good, much more immediate good would certainly follow the lessons given alone to the convict. As it is, with the many disagreeable circumstances to dishearten, the visitors to the male department of the County Prison are faithful and persevering in their efforts.

## FEMALE DEPARTMENT.

The female department has, since the publication of the last number of this Journal, had its whole complement of cells finished—an addition of forty-two to the former number of cells—and has also experienced a

considerable diminution in the number of convicts. The result of this favorable state of things is a compliance with the letter of the law in securing separate imprisonment to every female convict, and a conformity with the spirit of the law, in placing the untried accused in separate cells; and, as far as possible, even the drunkards and vagrants are kept separate—and even this last has, of late, become general.

Of course, the discipline of the prison is easily maintained when separate confinement is practised; and by being saved from the irritation consequent upon punishment, however slight that punishment may be, the minds of the prisoners are tranquil, and disposed to listen to instruction.

The effect of the favorable state of the female prison is manifest to the visitors. Lessons prescribed are easily and readily acquired, and exhortations and instruction are listened to with a spirit of gratitude and evidence of docility that are eminently encouraging.

It is difficult to tell how much good has resulted from the moral efforts in this prison, because it is not known how much of permanency is in the resolutions to amend. Those resolutions have often much more of sincerity than of permanency. The circumstances of the convict are favorable to good resolves, and to mental and moral improvement. These circumstances necessarily change when the repentant leaves her cell; and that change is often so great as to defeat all resolutions to do and to be good. The combat is often earnest, and sometimes persistent, without being successful. Without some friend to watch, encourage, and assist, the poor contestant is

apt to waver, and often yields.; but many instances have lately occurred, in which the resolutions formed in the cell, the promises made in sickness and durance, have been faithfully and fully kept. With all the temptation to err, to fall back, to relax vigilance, and slide into old habits, these persons have faithfully sustained themselves, and some of them now are beyond all fears—they have “been faithful unto death.” A peaceful sinking away from life, and a quiet death have set the seal upon their resolutions for good; and they had learned in prison to practise that virtue and that piety of which, in freedom, they had heard but little, or only heard of to deride.

Without any arrangement for instruction in the ordinary branches of school-studies, the habit of supplying the female convicts with means for learning to read and write has been kept up, and several, during the late years, have left the prison with those every-day accomplishments which they lacked when they were convicted; and it is with pleasure added, that these new attainments have been the means by which their possessors obtained and retained places of some confidence.

It should be borne in mind that most of the prisoners can read, and many of them can write on entering the prison. Yet it may be stated that those who learn to write in the prison make the best use of their new attainments. Perhaps that is owing to the fact that those who had some learning before they entered prison, had so long abused it by vice and crime, that they had little taste for using it well when they quitted the prison, while those who had formed resolutions for good while

they were learning to read and write in prison, found in those new acquisitions a new incentive and a new means for virtuous conduct? Certain it is, however, that those who had self-respect enough to acquire the rudiments of practical education in their cells, do better abroad than those who had those attainments when convicted, and who debased those attainments, as they did all others, as well as all other faculties, by the crime which brought them to prison.

The idea intended to be conveyed in the above paragraph is, if correct, eminently worthy the attention of those who seek to "ameliorate the condition of prisoners." No matter how much the convict may know, he is often heard to say that, if "he had as much learning as some other whom he knows, he would never have fallen into crime." That is not likely, but it shows that a respect is paid to learning as if it were a means of virtue; and it is not to be doubted that the learning acquired in prison from the moral instructors, having never been debased by bad uses, may be made most subservient to the work of aiding the discharged convict in obtaining a living without a resort to crime. Self-respect is a great auxiliary to virtue.

This branch of the labors of our Society is so important, that we have thought it worthy of special remarks as it regards the manner of doing it, and we have, in another part of this year's publication, placed a letter which contains hints to prison visitors, which are the results of many years' experience, with some failures and some success. The better the structure of the prison, the more thorough the discipline; and the more



perfect the isolation of prisoners, of course the greater is the chance of success which the visitor has in his attempts to improve the convicts. But whether the prison be well or ill constructed ; whether the discipline be fully maintained or be ruinously relaxed, whether the prisoners be separately confined, or congregated in masses—the visitor from the Society has to enter upon and prosecute his labors of love, hoping, of course, but often hoping against hope, for some success—and succeeding sometimes when all circumstances seemed to point to failure.

We should be gratified to give here some striking instances of the success of efforts of the Committee and Agents of our Society to recall to virtue, females whose condition seemed to forbid hope of their permanent amendment, but it is impossible to do this to any extent, without endangering the work by the exposure of names, or calling attention to persons. Women who have suffered in their character, and desire to become and remain virtuous, need privacy. The wounds of reputation, like those of the flesh, heal best in the dark.

The health of the County Prison and of the Eastern Penitentiary has been good. A piece of information interesting to every person of feeling. Sickness is grievous in any position, but in the cell of a prison it is doubly afflictive. It is a part of the system by which the prisons in this city are governed, that there shall be good medical aid, not accidental but incidental—not spasmodic, but steady, uninterrupted. In the County Prison a principal physician visits the whole of the establishment twice a day, and oftener if his services are

rendered necessary, and a resident physician is at all times within call. These medical officers have had the usual demand upon their time and attention. Eight or nine hundred persons, many of whom were regular debauchees before commitment, furnish cases for inquiry and serious care; but no fever, no epidemic has marked the history of the prison for the last year.

These, as we have said, are facts interesting to the true philanthropist. But there is another consideration—how is this state of healthiness secured? How are cells crowded with prisoners preserved from sickness, and how in a prison with such crowded cells is general health *maintained*, we had almost said *preserved*? for really many who are now healthful in prison, came in sickly, pale and emaciated. The answer is at hand. The prisoners are kept clean in their person by full means of ablution, and they are supplied with clothes to be changed twice a week, after being fully washed and completely dried. Their food is certainly not as costly as that served up at some of the restaurants of the city, but it is clean and wholesome, and what is of chief importance, it is regularly served.

Water is abundant in the County Prison, and it is liberally supplied, and soap, that great instrument of cleanliness, though cheap by the pound, is a costly item when the bills for the quarter are footed up.

The female department has one point of superiority over the other parts of the prison establishment. It is only two stories high. Light, there, is abundant, and ventilation easy and complete. And the sun, that fountain of health, pours its rays fully upon the brick floor

of the lower story. The proverb says: "Where the sun does not enter, the doctor must come."

We cannot doubt that the continued health of the female prisoners in the County Jail is greatly due to free circulation of air and the full benefit of sunshine in the building. Perhaps the superior neatness, purity, and sanitary order of this portion of the Prison is partly due to the fact that two matrons preside over that part of its administration, and all their assistants are females. Almost any man can keep a clean floor, but it takes women to ensure clean corners—and in the corners and out-of-the-way places are concealed the means and elements of disease.

Those who visit this part of the Prison, especially since its enlargement, pronounce it superior in all claims to approval to any county prison they ever visited.

## AMELIORATING THE CONDITION OF PRISONERS.

In almost all the pamphlets and reports touching efforts abroad to ameliorate the condition of prisoners, we find cheering references to the benefits which have resulted from organized efforts to assist the convict after his release from prison—or we meet with melancholy reference to the utter failure of all moral suasion in prison—from the want of some watchfulness and aid in his behalf. And those who read the reports of the Agents of prisons in this country, must be struck with the importance which is attached to the persistency

of efforts first made with the convict and then continued upon the discharged man. In France, societies organized for this object alone, exist in several of the large cities, and the result of the labors and contributions to guard and guide the released convict, is formally and statistically set forth, with the same precision and regularity that mark the reports of work in the prison, and the effects are wonderful and consoling.\*

The Visitors of this Society do what they can, and they do much, to perpetuate this good work among prisoners, by keeping up an intercourse with the discharged convict, and considerable energy is spent in this direction, and almost invariably with good results. But not enough is done, there needs a specialty. The time of the visitor is sufficiently occupied with the prisoner in his cell. The time which he gives to one discharged man, and gives willingly, would be better bestowed in commending many prisoners to the care of a separate organization. The division of labor would ensure more thorough action in each department. There are cases, we know, in which the visitor, by several years acquaintance with his cell-client, acquires

---

\* It is proper here to state that several admirable Associations in this city receive discharged prisoners and take care of them for a time, and do much for their comfort, improvement, and future welfare. We might mention the Howard Home, the House of Industry, and the Rosine Association, but these Societies also divide their cares and labors. We have not in this country, as in France, any Association formed and maintained for that purpose alone—to receive, provide for, and watch the movements, near and at a distance, of the discharged convict, to keep him in view, as one of a family, and to keep a record of his acts and condition. The existing Societies in this city do much good, and deserve all praise.

such an interest in the man, that he is willing to devote much time to the affairs of the discharged convict. In these cases the wish of the visitor should be respected. Experience, especially in the Penitentiary, shows how strong and how truly beneficial to the prisoner is this interest which he has created for himself in the heart of the visitor.

We have already observed that we are compelled to avoid statements of cases that would illustrate and strengthen our remarks, lest we should do some injury to the repentant and striving, who have left the prison with promises of good conduct, which they are trying to keep. But there are two cases of opposite results that we will notice, to show the different effect of two kinds of treatment. A young woman was left by her husband with the burden of sustaining three small children; the husband was at sea, and had suffered shipwreck. Housework was less in the line of the woman's attainments than plain sewing; the former was denied by her condition, the latter she could not obtain, and so she needed comforts for herself and children. She lacked the necessities of life, and, instigated by another woman, she stole clothing, and pawned it, was arrested, and sentenced to six or eight months imprisonment. She did not pretend to deny the act, and could not declare that she thought her necessities justified her crime. She was placed alone, supplied with books and work, her better qualities seemed to develop themselves; and it was difficult, in the gentle manner of the inmate of that cell, to suppose that there had ever been felony imputable to her. At the termination of her sentence, she was

placed where her use of the needle would be available; and there can be little doubt that she will be enabled to carry out her good resolves. What would have been the result of her leaving the prison, even with her good resolves, without the protection which she received when discharged, we do not know, but it is quite possible to imagine.

A young woman of impure association, was arrested on a charge of homicide, in having produced the death of one of her companions by a missile discharged at another; most of them, the prisoner, certainly, being intoxicated. She was indicted on two charges, one assault and battery, the other homicide. She was found guilty of the first, and the trial of the other was not had. Six or nine months imprisonment was meted out to her. In prison her conduct was not bad, though heedless. A sister came and promised to receive her at the termination of the sentence; and the prisoner promised to take shelter in the offered home, and avoid bad ways and bad company.

At the expiration of the young woman's sentence she was discharged; unfortunately, the person feeling the deepest interest in her fate was detained from the prison by illness. Of course, when the poor girl went forth without any one to watch her course, she went forth without any one to see that she reached the provided home. She had behaved very well while in prison, and left with a renewal of the oft repeated promise that she would avoid all temptation of persons and places that would endanger her safety and virtue. In two or three weeks she returned to the prison for drunkenness, and

afterwards was charged with an attempt to kill the young woman who had before borne testimony against her. She had returned to old haunts and the practices of vice ; and she had attempted to commit the same crime, and probably under the same influence—that of whisky. Sober, she seemed mild, and amenable to direction ; intoxicated, the homicidal passion was manifest. Had the girl been taken out of the city, and placed in some family where she could have been made to do house-work, of which she was quite capable, and her condition and proclivity of mind and feelings consulted, she might have been spared the second crime.

We could multiply greatly our comparative statements, and show the unspeakable benefits resulting from a watchful and affectionate attention to the discharged convict. Unquestionably, we could immensely increase the number of citations of cases in which the unfortunate woman has stepped back into vice and error for want of some gentle hand to guide, some word of sympathy to encourage, some grain of aid to lift the repentant over immediate difficulty.

This work is to be done. In this country it is, indeed, yet to be fairly and fully undertaken ; undertaken as a special work, and carried forward with the zeal and means that mark other charities in relation to prisoners.

---

## THE AGENT.

We have of late years made a regular reference to the labors of the Agent of this Society, Mr. William J. Mul-

len, and as we are now referring to what the Society has done, we necessarily refer to the doings of the Agent, who works in the name and on behalf of the Society.

Mr. Mullen has for many years past published a regular statement of the results of his efforts, direct and personal, to meliorate the condition of prisoners. And some instances have been given in our Journal of his successful efforts, but where he reports from twelve to fifteen hundred cases each year, it would be impracticable to attempt to present all these cases. But we refer to them now as connected with, and a part of the means of this Society for reaching the object set forth in its title. And we wish to add that we do not see how this or any other Society of the kind could effect its object without just such an agency. Prisons may receive modification in form, and entire changes in administration, according to the views of men of true social science, without at first affecting the condition of the prisoner. While discussions are going on with regard to the position, size and number of cells; while commissions and committees traverse States to make inquiry as to the best mode of disposing of the convict; while county functionaries look grave over the additional cost of taxation, to pay for, and maintain the prisons; while the philanthropist discusses the question of separate or social confinement, or the relative value of the Pennsylvania and the Irish system, the poor prisoner, in whose behalf philanthropy has raised these inquiries, needs some medium between him and the world without, by which he may secure a fair trial—or if convicted, be made to feel that there is *hope* beyond the sentence, and that the



opening of the prison door for his egress, is not also to admit him to the haunts of vice. The Agent is needed here. But a part of the County Prison is crowded with persons charged with offences of a character just sufficient to keep them in control of the magistrate, their imprisonment affords a personal enemy a chance to use their absence to their disadvantage, while he gratifies a bad feeling of hatred, jealousy or envy. Hundreds of women are every year committed to the prison on charges of assault, of threats, of abuse, made by persons who are themselves the offenders, and who make the charge "on oath," merely to place their victim in a position where she cannot begin the suit.

Children are thrown into prison to prevent them from bearing testimony against their prosecutors. Wives are thrown into the cells because they give vent to their feelings, outraged by the presence of another woman, brought into the house to share their loaf and occupy their bed. And some even are "sent below" to prevent exposures which their unexpected return might cause.

The heart-wrung mother comes down to the County Prison to search for her erring daughter, gifted with poverty and beauty—and fears to find that for which she looks—she too often finds her there. "And worst of all and most to be deplored," the young daughter missing for a night her widowed mother, comes and finds *her* the inmate of a cell.

The convict too has interest abroad, some little claims for wages, some small depository of clothes, some pawn tickets for dresses or ornaments, pledged for the necessities of life.

Here is work for an "Agent." It is not difficult to see that with judgment, prudence and perseverance, the condition of most of those to whose state we have referred, may be greatly ameliorated. Those who watch the labors of the Agent know how extensively and how heartily that work has been done.

The Society in doing justice to the masterly efforts of Mr. Mullen, takes to itself a portion of the credit to which his labors are entitled—because his office is a part of the plan of the Society, and a devised means by which the work was to be performed. The manner, persistent and thorough, in which the Agent has done the work, is Mr. Mullen's claim to consideration.

We repeat now what we have had occasion to say more than once. That while we stand astonished at the nefariousness of some acts which Mr. Mullen has, by investigating prison cases, disclosed, and the personal and social benefits that have resulted from his interference, there are small cases that have received the careful and successful attention of the Agent, which are so limited in their influence upon any but the mere sufferer, that they are not reckoned of importance sufficient for a "report," and yet their settlement has brought peace and consolation to a distressed family, and in more than one instance has snatched from the very brink of utter ruin, the young female who has chafed at home authority, or has wandered away without special motives, and then has placed her where the better instincts of her sex could be directed by the best influence of religion.

## PRISON DISCIPLINE AND ITS ENDS.

Rarely has any subject occupied the minds of the public so completely and so extensively as that of Prison Discipline does at the present moment. Almost all of Europe that has in it any quality of progression, is looking to the construction of prisons, and the mode of making incarceration a means of improvement. And now we learn that the question has been discussed in India; or, rather, perhaps, *in* England, *for* India, and attempts are to be made to place the prisons of India in the way of improvement corresponding with those of Great Britain, Ireland and France.

No friend of humanity, no one who has interested himself in the amelioration of public prisons, can notice this general direction of the public mind without rejoicing that at length so important a question is to have a public hearing, and praying that a correct judgment and a proper disposition of the subject may be reached. We do not doubt that immense good will result from this agitation of the question, even if some mistakes should be made in the discussion.

The danger which we see ahead is a too sudden decision. Discussion is not always deliberation, and deliberation is not always judgment.

Those who have the eye and the ear of the public at the present time, are good persons, who have become disgusted with the bad results of the old system, and who hear much of the good results of what is done in Ireland, and hence think that the Irish system, or, as it

is now proposed to designate it, the Crofton system, is that alone which will correct existing evils in prison discipline, and correct the morals and manners of the convict.

Approving as we do, of much that distinguishes the "Crofton system" from the old prison discipline of England and Ireland, we rejoice at the improvement which that has secured; but we know, or we think we do, that what would make that system of any use in this country, is to incorporate the best portions of it with the Pennsylvania separate system. As a system of itself, it is inapplicable to this country. As containing some well tested plan of giving additional advantage to our separate system, it is worthy of notice. Something like the best part of the Irish, or Crofton system, has been tried in many of the States, and approved. In Pennsylvania a law was passed proposing means by which the prisoner could redeem a portion of his time by good conduct. That law was pronounced unconstitutional, and nothing has since been proposed as its substitute, owing, perhaps, to the agitation of the general question, and the appointment of a Commission to investigate and report upon prison construction and prison discipline.

One feature of the Irish system, and that, perhaps, which seems specially prominent, is what is called "Ticket-of-leave"—that is, permitting a convict after good conduct during a portion of his whole sentence, to leave the prison with a certificate or ticket that he is permitted to be abroad, and to work or live under a species of surveillance by the police, until he shall have forfeited his privilege by a renewal of crime, or ac-

completed his sentence without any new violation of the law.

We have in our previous numbers made special reference to this great feature of the Irish system, and endeavored to show how it lacks applicability to the circumstances of this country. We now renew our reference to the objections, because the question is still before the public, and the arguments in favor of the Irish system are constantly and earnestly pressed, and we feel unwilling to have a new measure adopted for want of reasons to show its errors.

The "ticket-of-leave" works badly enough in Ireland and England; but it works better there than it can here. In England and Ireland there is a regular police, with a dense population, so that a ticket-of-leave man will be held in some reserve by a sense of being watched, and the fear of going back to prison and losing all the time which he thought he had earned by his previous good conduct.

In this country the ticket-of-leave man or woman would only have to cross the line of a State, and they would have little to fear from the police for any existing claim of justice.

But what renders the "ticket-of-leave" system so good in England and Ireland is, that those who wish to do well with their experience and a ticket, are helped to places, and encouraged and aided to continue to do well. While the larger number who have, while in prison, by good conduct, earned a ticket-of-leave, and obtained employment, hasten with their first earnings, or first beggings, or first stealings, to escape from the

country, and set up their business in the United States. Of course, the good people of Ireland and England approve of a system that improves a few of their criminals, and rids the country of the irreclaimable.

Of course, the people who would empty their almshouses upon our shores, would more willingly populate our cities and prisons with the tenants of their jails.

And we have reason to know that *calculations* for getting rid of ticket-of-leave men have been founded on the expectations that they would emigrate to this country. The reports of the Irish prisons show that this course has been practised, we cannot say encouraged—but in some sections, we believe it has. In most of the Irish reports we see it set down as a result of the early discharge of convicts on ticket-of-leave, that they used their first gathering of money to escape to Australia or the United States.

It is true that nothing is said about the direct calculations upon this mode of relieving England and Ireland, but the reports show that there *is* a calculation, or, at least, a gratifying recognition of the result of “tickets-of-leave.”

In the annual report of the “Prison Society of New York,” for 1867, we find a letter from the Secretary of the Buckinghamshire Prisoners’ Aid Society to the Secretary of the Prison Association of New York, in which the following request is presented:—

“Will you be so kind as to inform me whether you would co-operate with us in endeavoring to lead discharged prisoners, whom we might assist to emigrate, into an honorable course of life?”

Of course the Secretary of the New York Society answered negatively. But it seems that the Secretary transmitted to the Secretary of State of the United States the request of the Buckinghamshire Society, and received for answer that the Government of the United States habitually regards the transportation of convicted felons as a violation of international law, and it refuses to receive them. It holds foreign governments responsible for the wrong done.

The Secretary of the New York Society thus speaks to his English correspondent:—

“ We look upon it as a duty of every State to retain its criminal population within its own territory, and to seek to improve them there. Any other course we cannot but regard as contrary to international comity and justice.”

The view of the New York Secretary is certainly correct, and the opinion of the Secretary of State is, of course, international law. But the ticket-of-leave is a means of violating the law, and any prison in the principal cities of this Union will furnish a goodly *percentage* of its convicted inmates as beneficiaries of the English and Irish “ticket-of-leave” system. This is not so easily proved in a court as it is established in the opinions of those who daily see and converse with the immigrant prisoners.

We discussed this question last year, but then with less reference to the *interests* of the prisons of England and Ireland, to promote the emigration of their semi-graduated dependants. We see now that the emigration is a motive avowed, as it was before a result ap-

proved. We can scarcely approve in Europe of a system that, by a little hypocrisy on the part of convicted felons, empties their prisons and penitentiaries upon the shores of the United States, and transfers from foreign countries to our cities the primary schools and academical establishments of villainy, in which children are prepared to graduate as accomplished pickpockets, and to grow into sturdy burglars. Nor do we think well of a system that enables the felons of England and Ireland to establish in this country a sort of corporation of crime, by which each convicted offender shall be aided to procure his release from a general and commanding fund, made up by heavy taxation upon the purses of individuals or associated burglary.

We hear it said, indeed, that "by the use of the ticket-of-leave we may induce our criminals to go to other countries, and thus the evils be equalized."

If it is wrong morally, wrong legally, for Great Britain to send, or to adopt means that will send, her felons from her own prisons to our shores, it is no less immoral and unlawful for the United States to send their felons to prey upon the people of other nations. We must not do it even if we could.

But supposing for a moment that there was no law or declaration against such a species of "jail delivery," and that each nation might do as it seemed its best policy in the case. Then we should have the worst of it. The reports of the Irish penitentiaries say that as soon as the ticket-of-leave man can earn enough to pay his passage, he leaves the country and goes to some colony, or to the United States. About twenty-five dol-



lars will pay the passage from Ireland to the United States. That is soon earned and saved, or it is sooner acquired when the avowed object of the acquisition is to leave the country. English and Irish charity likes to take that form.

No such migration takes place from the United States. We do not know, nor does the felon know, and he undoubtedly has inquired closely whither he could go to better himself. The ticket-of-leave then of Great Britain and Ireland sends to the cities of the United States the convicted felons of those countries, while the ticket-of-leave of the United States would only turn loose native and immigrant felons convicted here, to profit by the sharpness and sagacity of their newly arrived brethren.

Writers in France and Germany, and even in Italy, seem to favor the ticket-of-leave system. We will not say *because* they know—but they cannot be ignorant of the fact—that these tickets-of-leave assist the holders to leave their own country, and there is little in the police or other circumstances of the cities of those countries to incite the felons of neighboring nations to come and fill the places of the emigrating “ticket-of-leave” men and women. Abroad, the consequence of tickets-of-leave is emigration to the United States.

Our reference to the ticket-of-leave system certainly is more against its practice abroad than at home. We see what it effects abroad, as it regards ourselves, we do not know what might result in this country, because, as yet, it has not been tried in the form in which it is practiced in England and Ireland.

That there can, and, therefore, there ought to be, great changes in the criminal laws of our State, seems obvious. Laws that concern the discrimination between degrees of crime. Laws that concern the conduct of the convict, and laws that would enable the convict to diminish the number of the months of his incarceration by evidences that the great object of imprisonment, viz.: the reformation of the prisoner, had been obtained. The enactment of these laws would, of course, interfere with existing prison regulation and discipline. We have looked carefully to this matter, and have come to the conclusion that all that is required, and much, we confess, is required, can be engrafted on the Pennsylvania system; and only upon that can there be hopes of permanent advantages to the prisoner, and, consequently, to society.

It is worthy of remark that all the new theories of Ireland and France include the idea of separate confinement for a certain proportion of the time of the convict's sentence, a time to be measured by his conduct. Separate confinement is, then, the foundation of all the systems that are presented for adoption. The benefits to result to the prisoner are to flow from the separation. Two considerations are militating against what is denominated the Pennsylvania system :—

*First*—The grand mistake of considering the *separate* confinement as *solitary*. Dealing with the question as if the convict were shut up in the “narrow cell,” and that for the whole term he was to see only the silent keeper, and hear only the key turn in the rusty lock, or the door grate discord on its rarely moved hinges, as if

nothing human were submitted to his consideration, nor in the long term of his imprisonment "would the voice of friend or kinsman breathe through the lattice."

*Whereas*, in separate confinement the officers of the prison see and converse with the convict several times a day, and give instruction, if necessary, in the branch of labor on which he is employed. The inspectors make their round with more or less regularity. Friends and relatives are permitted to visit at stated periods, and, most of all, and most to be approved, the members of the Acting Committee of the Prison Society have access, not only to the prison, but to the cell, for close private conversation and instruction whenever they choose to present themselves at the prison, and still more and still better, the members of the Acting Committee *do* go regularly and visit frequently, and advise earnestly, and, as we know, do produce good. In addition to all these, regular religious and moral instruction is imparted, not merely by established services on a Sunday, when a clergyman officiates, but by persons of the same creed, with those visited, so that every inducement to pure life is supplied.

That is not *solitary* confinement.

*Secondly*—Another great mistake is made in the calculation of what is called economy, by which the merits of a system and its administration are estimated by the cheapness of their workings.

We would have all conducted with economy; we would have the great end of imprisonment obtained by the least expenditure possible; but we would not convert our State Penitentiaries and County Prisons into

“galleys,” where the end is punishment and instruction to the convict, and some profit to the State. Men who are sentenced for a certain number of years, it is expected will return to society, and, it is hoped, that they will come back improved, and that the evidences of improvement will be more manifest than that of punishment.

Let people dismiss from their minds all idea of “solitary confinement”—all the unfounded fears of the effects of imprisonment upon the mental faculties. Let them look at the Pennsylvania system as it is practised in the Eastern Penitentiary, and let them reckon among the claims of that institution to public respect and confidence, its wonderful adaptability to all the wise and really practical and righteous parts of the schemes which are lauded in Europe, and we shall hear no more about the Irish system—a system which, by the way, is only Irish in practice, since the theory was promulgated years before its adoption in Ireland by our correspondent, M. Bonneville Marsangy, of Paris.

The hope of helping all prisoners must rest upon the separate system. The congregate system may have turned out many prisoners improved in all the best qualities of man. But they might have been good without instruction. No man builds a hospital for those that he knows will get well of themselves. The institution is for the sick and wounded, all of whom, it is hoped, will profit by admission and the attention of physicians and nurses.

## COMPARISON.

Where detention and severe treatment, withdrawal from social intercourse abroad ; where the administration of the vengeance of the law, unmitigated by any improving care of humanity, have been the rule and practice of the prisons, upon the systematic and legal mode of cruelty, there the Irish system is a wonderful change in favor of the best feelings of humanity, and, as those who try and execute that system have never tried extensively the Pennsylvania system, it is to be regarded as a proof of their earnest zeal in the cause of humanity, that they have accepted so much of the separate system, that indeed they have founded their own on that plan, and if there is anything wrong in their ticket-of-leave system they are perhaps excusable, on the consideration that such a ticket gave to convicts permission and means to leave the country where their character was bad and the criminal profession overcrowded.

All that is valuable in the Irish system and practical in this country may be made subservient to the Pennsylvania system, and will here as there derive its means of good from being engrafted on that system.

Our own experience of prison discipline, and a more extensive acquaintance by means of reports, books, speeches, and individual narratives, lead us to believe that we know something of the subject which now so generally occupies the attention of philanthropists and economists. Our views of the two almost opposing systems, of separate and of congregate confinement, have

been plainly stated, and we have read with attention, and listened, with a desire to profit, whenever books, or reports, or narratives have had for a theme the question of prison discipline, and to two conclusions we have been led by all that has met our eye or ear on this important subject.

*First.* That the separate system of confinement is that which ensures the best if not the only chance of moral improvement to the convict, and this seems to be the opinion of all those who advocate any system excepting that of the established, congregate mode of confinement. Even the improving part of the Irish system rests upon the separate confinement of the prisoner for a part of his punishment—a part which is even larger than for the same offence would be the whole of his imprisonment in this State.

Undoubtedly there is much in the Irish system that may be regarded with great approval, especially by those whose experience has been wholly or mostly with old European modes of dealing with convicts.

*Second.* And, as applicable to whatever system is to be carried out, there must be a full comprehension of its bearings by the chief, and a willing, hearty correspondence by his subordinates. The business of improving the prisoners must be as well understood and as heartily concurred in by the cell-keeper as by the warden ; and every man that approaches the cell of the convict must come in a spirit of kindness, and the prisoner must feel that his good is intended.

If the separate system is carried on in this spirit, it will prove by far the best ever adopted. But if the true

spirit is neglected, the separate system will only prove a better means of ensuring the safe keeping of the prisoner.

If the congregate system is conducted *without* a constant regard to the moral benefit of the prisoner, only with the intention of detaining him, and making him earn his own support, it will certainly make the man worse if he is inclined to evil. If the congregate system is conducted *with* as constant a reference to moral improvement as is possible in that mode of huddling together the bad and the worse, then we may hope for some good from the administration, not the system.

When we hear discussions upon the value of systems of prison discipline, we want to know what is the character of the administration. A bad system may produce some good by a conscientious administration. A good system will fail of many of its possible benefits by a weak, careless administration.

### DIFFICULTIES TO BE OVERCOME.

We, last year, gave an abstract of the Report of Mr. Mahlon H. Dickenson, on the construction, condition, and administration of most of the County Prisons in this State, and we are satisfied that the visits which that gentleman made, with a view to that Report, have already been productive of much good, and that product will multiply. The knowledge that there exists in this State and under the laws of this State, such means, such operative means of misery as Mr. Dickenson describes, will awaken the full feelings of the people of Pennsyl-

vania, and lead to measures of correction for this great evil. But that which is so much everybody's business, will be treated as if it was nobody's, till somebody calls up direct action among the people, and arouses the Legislature of the State to place the whole subject where the best intelligence with the best feeling can be made to devise and apply a remedy.

We have elsewhere in this number of the Journal stated that a Commission had been sent out by the Governor of the State, to gain information on the subject of prison construction and prison discipline. That Commission was the result, in part at least, of Mr. Dickenson's Report, and Mr. Dickenson's mission was, we believe, the fruit of the efforts of this Society in that direction; efforts, of course, in concurrence with a general public sentiment pervading not only this country, but almost every country of Europe. But even in the production of this public sentiment this Society may claim to have had a share.

But Mr. Dickenson's report was only good as a sort of initiation of the work; and even in that regard it fails of most of its effects for the want of a proper arrangement to make it the initiation of a persistent effort upon a well established plan, with office and officers to digest and give to the people the result of annual visitations and reports. We need a State system; we need a recognition more direct, more applicable, more systematized, of the individual and corporate efforts that have been made in this State to meliorate the condition of public prisons.

The work of ameliorating prison discipline and the



condition of prisoners, has, of course, advanced. The proverbial philanthropy of Pennsylvanians would not allow well devised efforts in the cause of humanity to go without encouragement and aid. Old prisons have been modified, and new prisons have been erected upon plans to carry out a system of humanity on behalf of the inmates. But these good results are not general, they are not equal. In some parts of the State the County Prison seems to be constructed, and its affairs administered, as if those in authority recognized the humanity of the prisoners, and their own obligations to that humanity. In other parts the taxes of the county have been kept down by a neglect of all the duties towards the vicious and criminal, or they have been kept up by expenditures upon prisons that are utterly worthless in the way of improvement of the prisoner, and utterly disgraceful to those who erect and conduct them. We have, in several numbers, discussed this question; we have now only to say, that we think there is a spirit abroad that would, if it were better informed, improve the best prisons we have, and replace, or reform altogether, those that are the worst. What we need is such an official organization at the seat of government as will enable the public to understand the extent of the existing evils, and the practicability of plans for their diminution, and to receive, use, and make public, the information derived from the voluntary and gratuitous labors of those who have long seen the wretched condition of our prisons, and have striven to introduce improvement in their administration.

In Massachusetts, the whole business of pauper and

penal institutions is submitted to a commission, whose superintendence, mediate or immediate, gives efficacy to the system by a union of efforts, and an entire correspondence between all parts.

In the State of New York, the work is in the hands of the Prison Society in the city of New York, whose efficient labors are recognized and seconded, and in that full recognition and seconding are rewarded. We may regard the New York Prison Society as almost a Bureau of the State Government. It deserves the distinction, because it discharges the duties of such a place.

In Pennsylvania, the efforts of the Philadelphia Society for Alleviating the Miseries of Public Prisons have been recognized as valuable, and many of its suggestions have been adopted, and its spirit has been made to pervade various parts of the State, and to produce associations to adopt and carry out its plans; and where associations have not been formed, individual efforts have been stimulated, and the good work of prison improvement has been extended.

But, whether it is because we have not asked enough, or have asked amiss, it is difficult to determine, but certain it is that, in Massachusetts and New York, efforts, such as have been made here, would have produced different results in the legislation of those States. Massachusetts is said to be one great Boston; and the plans for good which are best devised in the enlarged community of the capital, are approved and adopted by the State at large. In New York State, pride in, and dependence upon, the commercial capital, pervades the whole State, and what the genius of individuals and

society brings forth for general good in the city, is taken as a part of the best production of the whole Commonwealth, and is therefore established and sustained by legislative enactment.

In our State, for some cause or other, (we pretend not to know it,) there is less affinity between the City and the State, less pride in the commercial capital, and less disposition to second efforts that tend to the amelioration of increasing and growing evils. Perhaps the sympathy or feelings that are aroused by considerations of gain, or physical improvement may be stronger; certain it is that while the means of discharging a great duty that connects itself with social science are too much neglected, there is less cause of complaint of labors to make laws that touch political economy. Yet we should not consider that we are altogether deficient, or that the State has not manifested a deep interest in the subject of prison discipline. The existence of commissioners, and the late employment of an agent to investigate the prisons of this State, and look into some of those of other States, show that much has been done, and warrants the hope that much more will be done. Let us labor in the field that is before us, and in time we may expect to see our wishes gratified, and our toil and sacrifices rewarded, not because they are our wishes, our toils, our sacrifices, but because they all tend to a great and good object.

After this Report was prepared and approved by the Society, there was received from Harrisburg the report of a Commission, (elsewhere mentioned,) appointed to take into consideration the subject of Almshouses and

Prisons, and especially to consider the propriety of establishing a "State Commission," to which all the prisons and charitable institutions of the State should report, and by which all such institutions should be visited at least once a year. The pamphlet bears the title, "Report of the Special Committee of the Senate of Pennsylvania, appointed to inquire into the propriety of establishing a Board of State Charities." The investigations of the Committee seem to have been thorough into the character, condition, and object of all penal and charitable establishments in the State; and the result has been the report of a Bill to create a Board of Charities, which body shall consist of five Commissioners, with Secretary and Agent; and all proceedings and results in the Penitentiaries, prisons, almshouses, and charitable institutions with which the State holds connection, shall be reported to that body, and, when put into order, shall by the Commission be reported to the Legislature once a year. The plan is excellent, and it is according to, if not the result of, the proposition made by this Society a few years since. Let us hope that the Legislature will pass the bill into a law; let us also be encouraged to labor, even though we wait.

---

## LETTER TO THE PITTSBURGH PRISON REFORM SOCIETY,

*By a Member of the Philadelphia Society for Alleviating the Miseries of Public Prisons.*

My friend and co-laborer, Philip P. Randolph, Esq., some time since pressed me to visit Pittsburgh, and be present at the annual meeting of the Pittsburgh Prison Reform Association. The time between the notice which I received and that fixed for the meeting was so short, as made it scarcely possible that I should make the journey and be in a situation to assist in the exercises, which would, I knew, be so interesting to me, and which the report of the proceedings (that I have since read) prove to have been most instructive—and augment the regret that I am occasionally compelled to cede to the imperative demands of seventy-six years.

Had I been present at your anniversary, I might have attempted to make some remarks upon the objects and labors of your Society, and offered some encouraging words to those who seek to make the place of punishment for crime the school for lessons of virtue. The report of your proceedings only exhibits the temptation *to*, not the necessity *for*, any speech by me, and as the work was well done, I have only to regret that I could not have shared in the pleasure assured to those who assisted in the meeting.

Mr. Randolph, however, suggests that I should address

a few words to your Association, expressive of approval of your plans, and of felicitation upon the early beneficial results of your labor—not of course as an individual offering, but as denoting the sympathy of the “Philadelphia Society for Alleviating the Miseries of Public Prisons,” with the views and feelings of the “Allegheny Prison Reform Association.”

It would have been better, perhaps, had I complied sooner with the request—but constant demands upon my time, and an inability to use my pen more than a few minutes each day, must be my excuse for tardiness—and then we all know that though with reference to a particular anniversary my letter may be out of season, yet with regard to the subject upon which I write, if my remarks are not pertinent, it is no loss that they are late. If they are applicable, they are good for all time. If it be true that “the poor we have always with us,” it is no less true that the vicious are not likely to cease from the land. If Charity (love to others) suggests a constant provision for the unfortunate, so that same Charity, with something of self-protection, demands from us unfailing watchfulness for the erring. The poor may be righteous in their poverty. The vicious are almost invariably poor in their vices. The former need only “day by day their daily bread.” The latter need all that, and they require also constant monition and gentle aid to keep them from temptation and to “deliver them from evil.” Hence the double duty of those who attempt to ameliorate the condition of prisoners.

The active members of your Association will probably feel that their first duty is to seek to ameliorate the con-

dition of the *prisoner*, to visit him in a spirit of Christian charity, and to make him understand he is not cut off from the sympathies of his kind by either his crimes or his punishment; and that it is in his power, and at his option to make that punishment a means of securing the benefits that he sees and envies in others, and to enable him to make and take a place with his fellow man in the business of society and in the rewards of business. Or, even failing that, the season of reflection and repentance, of self-examination and resolves, may be so improved that the suffering of the prison may be followed by the happiness of heaven.

The attempt to discharge such a duty will naturally lead to the discovery that not only are some dispositions of prisoners most unfriendly to attempts at their improvement, but also that there are some conditions of prisoners that seem to preclude all hope of inducing them to profit by good advice. Nay, in addition to all that, there are certain modes of approaching prisoners, and certain means used, in attempting their improvement, which seem revolting to their feelings, and so antagonistic to their preformed ideas, as to defeat the object for which the sacrifices of visitors are made.

Your visiting members, and especially your agent, will have discovered and encountered these impediments in some degree, and, perhaps, will have a full comprehension of their nature and remedy. Yet, as little is said of them in the excellent remarks of the speakers, as reported in the proceedings of the Anniversary Meeting, I thought it proper to refer to some of these matters, not with any view of instructing, but solely with a desire of

comparing the results of experience, and making therefrom profitable deductions.

The first object of all effort is the improvement of the prisoner. The title of your Society is, indeed, the Allegheny Prison Reform Association, a name which, at the first glance, might be construed into the declaration of intention to make the improvement of the form and practice of the prison the end at which you aim. Of course, this was not intended; we all understand that by a metonymy, you take the name of the place for that of the occupants, and that the reformation you contemplate is that of the prisoner rather than that of the prison; though I think that we shall all agree that in the search for a cause of the evil which you would correct, we are likely to encounter the glaring error of the construction of the prison building, and the bad administration, or rather the want of a plan of administration; and in the progress of ameliorating the condition of prisoners, we shall have to recommend change in plan and construction of the building, and improvement, at least, in administration. I shall refer to that branch of the subject at a later period of my remarks.

The work which you propose to yourselves, and to which reference was made by the speakers at your late Anniversary celebration, is to be begun with the prisoner. It is he that you must address; it is he that you must reform.

How? By what means? How may he be approached without alarming his pride? How dealt with without wounding what little self-respect is left in him?

First, then, you have permission to *enter* the cell of



the convict. Do that—enter. Stand not at the door; press not against the gratings of the cell, to remind the poor wretch of your freedom and his bondage. Enter easily, as if on an ordinary visit, and place your *client* at ease. You should know his criminal history, so far, at least, as concerns the act for which he is there confined. For two reasons in particular you should know the crime for which he is in prison. *First*. That you may thereby judge something of the character of the convict; and, *Second*. That you may avoid any direct reference to *that* crime.

It is wonderful what shipwrecks “visitors” at prisons have made of their undertakings by direct reference to the act for which the inmate of the cell is suffering.

All visits, I mean all that are made by members of your Society, are for the moral reformation of the prisoner; and these efforts, of course, will be made in the name of religion. That is, almost all will go to the cell of the prisoner with a view of doing him good, go as Christian missionaries; not always, nor even generally, are these visitors clergymen. The laity find in prison a great work, and they enter upon it with as much zeal, and often with as much discretion, and usually with as much success, as do the clergy, (of course, I speak of cell ministrations, and not of preaching;) and hence it is vastly important that, in seeking to press upon the prisoner a renewal of religious observation for the sake of giving permanency to resolves touching improvement in morals, care should be exercised to show a delicacy towards the preconceived religious ideas of the prisoner. It does not do to say that there cannot be much religious

feeling to be injured in the man or woman who has become a fixture in a criminal cell. That is a great mistake. Zeal for denominational distinctions outlives the morals that they should secure. Some of the severest and bloodiest contests known in the convicts' cell have been between two prostitutes, who could not tolerate in each other the profession of different creeds.

In dealing with persons of this kind, it is necessary to respect the very feelings that lead to such outbreaks, and to take care that the approaches of the visitor should not be made in a way, or by language, that might disturb the latent prejudices. These are the beings that the prison visitor is to reform. His work will be poorly done if it awaken jealousy instead of conciliating confidence.

The confidence which is the result of sympathy and respect, must be almost entire. The prisoner that is to profit by the direction of his visitor, must lay open his life and his heart, his experience and his plans, to enable the visitor to judge and advise.

This entire confidence cannot be reposed where there are others to listen; without entire sympathy, or without the exact state of feeling and resolves that mark the man to be directly dealt with. If there are others to witness the interview, to hear the statement, and listen to the advice, the good result of the visitor's labors will be always jeopardized, and nine times out of ten they will be lost by the false shame that makes the prisoner's statement imperfect to the visitor, or he is overwhelmed with the ridicule of unfeeling cell companions.

To insure any hopes of success, then, the prisoner

should be visited in his cell by those who have his confidence, if he has any, and the visit must be made without witnesses. Gentleness must be manifested in dealing with the offender, and wonderful forbearance with his waywardness. Let the visitor who is becoming impatient at the unfruitfulness of his labors, recollect that he assumed his mission to just such a class of persons; and that while he is attempting to pick something from the mass that is before him, he is, and he knew it before he undertook his work, dealing with that which society has sifted and sifted till it would seem that nothing further could be gained; and yet that which may be gained, that which is sometimes gained, is of immortal consideration, of infinite duration and importance. It is this value, it is this eternity of consequence, that moves the visitor towards the work of prison labors. That value never lessens, though the hopes of improving the erring one may diminish.

The question seems to be "Is this a work appointed for man?" The teachings of Christianity assure us an affirmative answer. Failure may be predicted; offences are sure; mortification at relapses is almost certain. But the moral condition of the offender is not less worthy of thought and labor, and even the other inquiry, which delay in fruits too often suggests, viz: "Am I called to such a work?" is to be answered not by the success or want of success which may for a time result from your labors—but by the earnestness that is felt for the work and the interest felt for the object. Undoubtedly there are persons who may excel in adaptation to the work of prison instruction, and there are

those who will learn from their own experience in that field of labor that there are other fields more suited to their qualifications—though the inapplicability of their qualification may often be only their want of patience, perseverance, and heartiness in the work.

Experience shows that while all prisoners are to be treated as erring persons, their condition as prisoners, generally, though not always, shows that it is not best to refer pointedly or frequently to the act for which they stand convicted. The man justly sentenced for burglary is a burglar, undoubtedly, but it will perhaps be enough generally to treat him as a sinner against God, and a violator of human laws. To press the immediate cause of his incarceration will be to irritate him, wound his self-respect, and thus, for a time at least, disqualify him for the reception of good advice.

Care should be taken to have female prisoners visited by persons of their own sex. I am sure that generally a well disposed woman, of energetic character, of evident heartiness in her work, is far more useful among women prisoners than is a man, and the good results of her labors are much more abundant than can be cited in behalf of male instructors among the females.

It seldom happens that a visitor to the prison cell who comprehends the value of the work undertaken, fails to produce an effect upon the feelings of the prisoner, and it usually happens that the unhappy convict yields to the suggestions of his visiting friend, and forms and expresses resolutions to avoid all acts that lead to the prison, and all company that leads to such acts. The hope excited by these manifestations of improved feel-

ings and resolves seems to assume certainty as the repentant convict leaves the cell with resolutions to avoid the temptations to which he has yielded, and to suffer every deprivation beyond the wall of the prison, rather than to incur the risk of renewing his residence within its walls. Men's good wishes and prayers attend such a repentant. What then are the feelings of the devoted visitor as he meets again his favorite client, awaiting in an untried cell the action of the Court in his regard, upon charges of misdemeanor or felony? He desponds, he threatens to give up his labors, and he for a time exclaims that his client, like Ephraim, in the Scriptures, "has joined himself to idols, let him alone." Against this feeling of discouragement I wish to warn your visitors. The failure of the prisoner to realize the hopes that his conduct and conversation had raised, is natural, it is a part of his character. He was a prisoner because he failed in the attempt to discharge the duties of life, and nearly all the *past* repentance in the convict cell are repentances not of crime but of detection. Why should he then (when no longer in the way of detection) be supposed to set about discharging the duties of life? The dog will disgust others, and the sow will return to the mire; if one of them does not, there is at least *one* redeemed that would have been lost.

The strong feeling for the prisoner and confidence in his professions, which animate and cheer the visitor to the cell, and reward the labor and sacrifice in the prisoner's behalf, are almost necessary to the adoption of this course of benevolence. The disappointment at the first failure of the convict to redeem his pledge and jus-

tify confidence, is most painful; but the experienced visitor will have learned to make all allowance for the circumstances of his fallen client, and to comfort himself with the reflection that while it is his duty to plant the seed of virtue in the heart of the convict, and to water the germination with tears of loving prayer, it is the prerogative of God to give or withhold the increase, and especially to judge of the circumstances and the time in which the fruit shall be manifest.

The idea of time as an element of success in prison teaching is one of vast importance. Discouragement follows the evidence of failure, and the visitor sees his client return to wrong associations with a sinking hope and a failing confidence in all such labors as he loves. "Who hath believed our report?" he exclaims—and he resolves to seek another means of gratifying philanthropic feelings. This is an error to be avoided. We should never have heard of the "seven times" if it was not a world-wide admittance that man would sin, and we should never have heard of the seventy times seven, if forgiveness—if labor and hope were not to be as perpetual as offence.

Who shall venture to say that this or that monition is useless because as yet it is fruitless? Who shall tell what after-griefs and suffering shall soften the ground above the lessons of love and religion, and allow the forgotten not forbidden seeds to germinate? Man may awaken repentance and induce good resolves in the heart of the prisoner, but he cannot remove, because he cannot foresee, those hindrances to good or those temptations to evil that beset the pathway in freedom

—but “the word fitly spoken,” may and often does linger in the memory, and make itself heard in future difficulties, so that the lesson survives the giver, and produces fruit when seasons of fruitfulness seem to have passed away. Our plans of good are often interrupted even when they are not defeated; and the blessings which we await are rather delayed than denied. To expect immediate results from labors in prison cells is folly. To doubt of ultimate benefit is almost impious.

But even if we never see the work prosper in our hands—if the objects of our labors and our sacrifices show no improvement from our lessons—can we doubt that our labors will be at least subjective, and that we shall have the satisfaction and reward of trying to do good to others.

If the “term” of the convict’s incarceration were to terminate only with his life, one half of the labor, and almost all the solicitude of the visitor, would be spared, and day by day the resolutions of good would acquire force without the temptations of the world at large, and season after season the mind and character would strengthen and purify “more and more unto the perfect day.” But in the midst of careful instruction, and in the formation of good resolves, the term of the imprisonment expires, and the convict goes forth into the world to seek employment among those who know his history too well to grant him confidence, or if among strangers who are ignorant of his crime and its punishment, still to bear within him the consciousness of a conviction for crime, and the constant apprehension that his condition will be discovered and exposed.

Death sets its seal upon the repentance of few in prison. The work of reformation must be consummated beyond the walls, and in the world, and usually among those whose interests are antagonistic to the graduates of a prison, and often, indeed, with those whose stern virtues have no sympathy with the repentant criminal, no confidence in his professions of repentance.

The office of the active member of the Pittsburgh Society is to maintain his connection with the offender when and after he shall have fulfilled the sentence of the law ; to watch, aid, and encourage, and when resolutions of virtue seem to shake amid the sneers of the unkind, the coldness of the "unco good," or the failure of little plans of support, then to illustrate the efficacy of those principles, and the power of those lessons that were inculcated in the prison cell, and show that what you would have him adopt, you yourself can practise.

Nine-tenths of all the lessons which the prisoner receives in his cell, and upon which his resolutions are formed, prove wholly inefficacious from the temptations which want and neglect strew in his way when he leaves his cell. Almost all the instances of benefit conferred upon the convict have been when the care of the visitor has been extended beyond the term of imprisonment, or that death has preceded the termination of the sentence ; and almost all the instances of failure may, with great reason, be traced to influences of bad cell companions, or the want of a little aid and guidance, when the discharged convict goes forth to test his own strength and the kindness of the world.

I have spoken of the labors of the visitor at the door, or rather within the door of the cell, and of his dealing



with the *individual* prisoner; and I had an object in thus speaking. Long experience has shown to me that little benefit is likely to result from any friendly dealings with two or three prisoners confined in a cell. It is scarcely worth while to state the reasons. Those who have attempted to discharge the duties of a visitor, know how slight is the impression made upon the mind of a prisoner by his visitor when there are other prisoners to listen to the monitions and advice, and condemn and ridicule the efforts to improve, or if, during the presence of the visitor, there should be an appearance of interest in his labors, he will scarcely have left the cell before the sneer, the ridicule, and the indecent comment will have made known to the listening visitor that his light mark upon the mind or conscience of his hearer is readily effaced.

It is alone, and only alone, with his convict client, that the visitor can hope for any permanent success; and even alone, the patience of hope must be exercised, and the lesson of to-day and to-morrow must be repeated with a reiteration that shall ensure some distinctness of impression; and every note, every hint, every suggestion, must be gone over with endearing forbearance by the visitor, that he may produce enduring effect. The Scripture not only prescribes, but in the very form of prescription, it *illustrates*, the mode of teaching prisoners. "Line upon line, line upon line, precept upon precept, precept upon precept, here a little, and there a little!"

But it may be urged that this separate instruction is opposed to social worship, to the ordinary mode of religious instruction on the Sabbath.

I do not mean that the frequent visitation to indi-

vidual prisoners should dispense with the customary labor of the pulpit. The chaplain (as such) may offer up the prayers that are suited to the circumstance of the sinners for whom and with whom he prays; and in thanksgiving, by singing, he may unite the voices, if not the hearts, of the prisoners; and the sermon, which all ought (if they wish) to hear, and in which all have a common interest, may expound the Scripture, and awaken the convict to his dangers and his duties. These social, or rather common dealings with the prisoners by generalities, have done much good, and often assist the visitor in the special dealing. The preachings to the whole gallery often prepare them for instruction in the cell, and the prisoner is thus furnished with questions to his individual teacher, whose answers contain the true spirit of prison instruction.

Among the most commendable features of the Constitution of the State of Pennsylvania is the pardoning power, which places that prerogative in the hands of the Governor. The power of pardon, the right and the duty to step in between the sentence and the sentenced, is one of those wholesome concessions which law has made to the weakness of human nature, and the spirit of humanity. The power may be abused by Executive use or improper motives, but its abuse offers no argument against the right, and the wholesome exercise of that right. The guilty, pardoned, may do well; the innocent, punished, may be driven to wrong. The sentence may be just when pronounced, and its mitigation be equally just at a later period. So many circumstances conspire to justify pardons that it is difficult to decide in any one

case of the convicted felon, that it is not, or may not be a proper case for clemency. For those who are intimate with prison life, who have mingled in the administration of prison affairs, or acquired a knowledge of prison economy by visitation to the cells of convicts, it will not be difficult to comprehend how certain cases change their character by new development of temper, new testimony as it regards facts, and especially as it regards the condition and relations of the convict.

As I am not now arguing in favor of pardons, I need not present instances. I am taking it for granted that pardons are proper, often necessary, and that most of those who visit the Penitentiary and County Prison to promote the benefit of the prisoner, concur in this opinion of the pardoning power, and desire that it should be appropriately, even though frequently, exercised.

What I mean to do, now, is not to argue in favor of the exercise of the pardoning power, but to exhort the "visitor" to avoid invoking the exercise of that power as he would avoid the mortification resulting from a complete failure of his efforts to improve the moral condition of prisoners. It is a delicate matter in any one to interfere between the convict and his punishment. It is dangerous in a visitor to undertake that work. The visitor who listens to the story of his convict client, and shows a disposition to be active or zealous in procuring a pardon, at once closes the door to any valuable usefulness, and invites the prisoner to assume those manners, and affect those dispositions, that are requisite to a prisoner who hopes for pardon on grounds of repentance.

He becomes at once a hypocrite; and the sympathies

of his visitor, his desire to have his client good, prevent him from seeing through the thin veil of the unhappy man who is trying to show great improvement before he can have formed good resolutions, and who is more bent on getting out of prison than out of crime, and who is quite as much a felon in his efforts to obtain a pardon, as he was in his action to deserve a sentence.

The visitor, it has been said, must manifest a strong sympathy with his client, but it must be evident to the latter that the manifestations of sympathy are rather to prevent future crime than to lessen present punishment. It should be the duty of the visitor to make his client understand at once that he has neither the mission nor the wish to promote a pardon; that he is neither a pardon-broker nor a pardon-adviser; that any pretensions on the part of the prisoner to reformation, or resolves on improvement, must look for their reward in the time that shall follow the termination of the sentence, and that the prison ceases to be a place for *improving* the convict, when the assumption of virtuous language, or even incipient virtuous sentiment, can terminate incarceration. The convict did not probably become a felon by the first step in wrong doing; he had degrees in vice even before he became a criminal, and he made advances in crime before he secured to himself a diploma for felony in the judge's sentence and the record of the Court. So, then, let him establish some principle of virtue; let him at least fix some resolution of good before a profession is accepted. The oath that is extorted by pain, by duress, or unreasonable hopes, and strong promises, is not held of great obligation, and its violation

has, by some moralists, and many judges, been regarded as venial. May we not, then, naturally suppose that the profession of repentance, wrung out by confinement in the prison cell, and invited by hope, if not by promise, of a consequent pardon, will fail to be of that kind which is "unto life never to be repented of."

The duty of the regular visitor for your Society is to make known at once to the client, that these visits, thus begun, have no necessary connection with a pardon, and that all attempts to enlist the visitor in the work of procuring a pardon, if persisted in, must result in the termination of the visits.

The pardon may be right, but it is wrong for a visitor to urge it, wronger still for him to seem to give any hope that even by improvement in character the offender will gain a pardon, at least that such improvement will enlist the visitor in the work of pardon-seeking.

At once let the prisoner understand that the visit is intended to improve his character not release his person. Close every avenue to, and withdraw every motive for, hypocrisy; that debasing quality will destroy or prevent all the benefits of careful instruction, of prayer and patience on the part of the visitor.

It is impossible for the visitor to conceal from himself the fact that he is addressing a criminal—that his auditor is one that has been convicted of some crime against the community, by violating the laws of the land; and the prisoner, though he may not think himself so much worse than many others, as his position would seem to indicate, is conscious of his *status*, and jealous of the few rights left to him. He is a prisoner—the grating of his

cell, the lock on his door, and the treatment of the keeper remind him of that continually. But these are the concomitants of a prison. He submits with as good a will as possible to the inevitable circumstances of imprisonment, and becomes social in his habits and communicative with companions and keeper, but he starts at the advent of a stranger—he throws around himself a chilly atmosphere, and is reticent—or if disposed to conversation, is careful to lead that away from his antecedents, or to protest against the curiosity which, under the plea of humanity, is making itself conversant with what he thinks is entirely his own. He mistakes real interest for impertinence, and refuses to profit by the visitation of the humane, who neglect that delicacy which is necessary to all, especially to the prisoner. The prisoner is in a cell—or rather he is a prisoner, because he has been convicted of crime, and the customs of society allow men to address each other as sinners. The lesson comes with force and bears iteration from a pulpit, but even there special appeals are not tolerated, and he that might go away softened to conviction, to resolve on repentance, by a judicious direction of general commonition, would have his self-respect wounded and his heart hardened into evil resolves, if he but thought that his experience were made special, and he distinguished from others in the congregation of the erring.

This sensitiveness (this pride let it be called) is as abundant in the prison cell as in the church, and he who would approach the prisoner with hopes of improving him, must “respect” that sensitiveness—that pride, and commence his work by winning confidence, rather

than alarming the conscience. But most of all should the visitor in his conversation with, and instruction to, the convict avoid direct reference to the particular crime for which he is a prisoner. If there is a repentance, it includes all—if there is none, the reference to one fault will not avail; though reparation should not be neglected.

It is of vast importance that the visitor possess and manifest great delicacy toward the prisoner, even though he may not find that quality in his client. He must excite attention by gentleness and the appearance of affection, and he must avoid questions that might wound the feelings of the prisoner; but most of all that would create or confirm a suspicion that his visitor is unnecessarily inquisitive—that indeed he has come to “*pump*” rather than console.

It is wonderful to notice how closely the prisoner shuts his mouth upon subjects which he thinks his visitor has presented from improper motives, and it is no less wonderful—it is deeply affecting—to see how the prisoner pours out his heart to his visitor, whenever he has become satisfied of the purity of his motives and the depth of his sympathy. Sorrow, affliction, grief, ask confidence—they find consolation in intimate intercourse. The convict, satisfied that his visitor is sincere and judicious, seeks and improves opportunities to present himself as he was; to give vent to his sorrow by narration, and to open his heart to one who will consent to look into its recesses. How often does the visitor leave the cell with a better knowledge of his client's history, his social and domestic relations, than any of the poor man's

neighbors and relatives ever possessed ; and the client himself is consoled by the sympathy he has excited, his burthen seems to be lifted from his shoulders, and transferred, indeed, to the visitor's.

Do people say that "men who need such visitations, such sacrifices from the virtuous, should not be so sensitive with their self-sacrificing visitors," and add, "we think it enough to give our time, our advice, and some of our means, to assist these offenders against the law—we do not choose to humor their morbid taste by any such condescensions?"

The reply is, "then do not go to the prison, that very requirement which you deem inadmissible, is the *one* that is the *sine qua non* of a visitor's qualifications—indeed without that all others are comparatively valueless.

There are enough who will visit the prisons at their leisure ; who will talk, and perhaps talk generalities very well ; who will give a little money, also, to help the discharged convict ; but there is needed the man who will put up with the exigences of an erring man ; who will have patience with his weakness, and endurance with his impenitence ; who will recollect that his mission is to make the prisoner a better man, not to make himself a more noted humanitarian.

Those who confer with convicts, find the unhappy prisoners much occupied with the idea that they have been wronged—wronged by those who testified against them, wronged by the lawyers, who made points unnecessarily strong against them ; wronged by their own attorneys, who neglected many points that they might have taken on their behalf ; wronged by the jury, who



might have allowed much greater weight to certain doubts that the nature of the case and the testimony suggested; wronged by the judge, who might have satisfied his views of justice (at least *their* views) with half the time included in their sentence, especially when some other convicts received a sentence much more endurable.

It is difficult to dispossess the mind of the prisoner of the strong idea that he has been dealt with too severely, even when he is compelled to admit that he did the act for which he is suffering. Though it is evident that he does not really think that all that is done against him is wrong, perhaps, even to himself he is compelled to admit that most of it is right. We must make some allowance for the almost universal desire of all to seem, even in the worst condition, to believe that they are not so bad as their position would intimate. It is pretty easy, from our acquaintance with the mental habits of convicts, to distinguish between the assumed and the real idea of wrong suffering. The former will soon give way to a steady course on the part of the visitor. The latter must be beaten down, before there can be hope of any considerable improvement.

But in efforts to convince a prisoner that he has erred in his views of his own conduct, and therefore judged wrongly the motives and conduct of those connected with his arrest, trial, and condemnation, the visitor must not neglect one important fact which his own experience in small matters may illustrate, even in his own day, viz., that there was seldom any person convicted of an offence which deserved a prison cell, who did not find

in his heart some mitigation of the crime in the circumstances for which it was committed. It is scarcely worth while to give instances, but we must admit that while almost every imprisoned convict deserves the punishment he is receiving, nearly every one will so state his case, without intentional prevarication or falsehood, as to satisfy you that he might well believe, though his visitor could not, that he could scarcely have avoided the crime for which he suffers, and that, all things considered, he might without any injury to the cause of justice or to society, have been spared most of the infliction which he is compelled to undergo. This feeling, when it does not take too large a range, may be respected, at least it need not be at once combatted. When the general chambers of the mind become enlightened, when the dark recesses, in which lurk the selfishness of our nature, will receive the rays of truth, then the convict will comprehend and confess that the criminal must be tried and punished in this world from the testimony of witnesses, not from the impressions of the accused. In dealing with him alone much may be allowed to the error so common to all. If "the heart knoweth its own bitterness," it may think also that it knows its own motives—it will learn under favorable circumstances and judicious instruction to judge better—but its ignorance need not be insulted.

It will be seen then that the duties and the responsibilities of an appointed visitor to convicted persons are very great. They may be entirely and innocently avoided by declining to accept the appointment, or keeping clear of the assumption thereof; but once assumed,

or once accepted, the visitor may, by earnest, conscientious effort, save some of the unhappy beings to whom he addresses himself, or by even partial neglect he may fail to enforce his lessons—or he may keep from the cell the able and the willing visitor, whose fidelity would accomplish the work which the negligent leaves in a worse state than he found it.

Go in the fear of God and the love of man.

Go with the intention and the hope that the walls of the prison will conceal your labors as much as they do your person.

Go with the firm resolution to bear and forbear with your pupil, till he shall find that virtue does more and better for the human heart than vice.

Go with such self-devotion as shall make the prisoner feel that it is he and not you that is to be benefitted, though it is you as well as he that is to be gratified.

Go with such earnestness of assurance of interest as will make the convict feel that he may rely on your aid beyond the walls of the prison, as he did upon your instructions within its walls—and your instructions within the walls will prove useful for after life, even though there be none to aid without the walls.

## SCOTLAND.

We have received the Report upon the Prisons of Scotland, for the year 1867, and if the prisons of that country have been improved as much as the reports of their administration have been, Scotland would have much to felicitate herself upon—and indeed the reports show a continued improvement in the system of prison management.

The system of prisons seems to be established in that part of the kingdom, and there is a connection among them all, so that there can be a proper classification, not only of convicts in a prison, but of prisons for convicts.

Among the provisions that will particularly arrest the attention of the humane, is that for a proper security of insane criminals.

The tabular statements of the number, character, condition and various classifications of the prisons are greatly improved, and resemble much those of the French prisons, and present a model for Pennsylvania, should the plan of making a Bureau of Prisons and Charities, which we have warmly and persistently urged, ever be carried into operation in this State.

In looking at the statement of the number of prisoners in the several prisons of Scotland, we are struck with the close proximity of the number of females to that of males. Thus the whole number of prisoners in all the prisons of Scotland, for the year, was 26,515, of which more than 10,190 were female.

In the rural portion the proportion of females was small, but in the political, and commercial and manufac-

turing cities or districts the females sometimes outnumber the males. For example, in the year 1867, there were committed on criminal charges, in Edinburgh, 2,600 males, and 3,069 females; and in Glasgow the number of males was 4,429, and females 3,215 on criminal charges.

The year 1867 began (on June the 30th,) with 2,410 convict prisoners in all the prisons of Scotland, and as it regards sex, these were thus divided, 1,298 males, and 1,113 females. The greatest number of criminals at any one time in all the prisons was 754, as follows, 385 males, and 369 females. Looking into the class of repeaters, that is, those who are repeatedly imprisoned, we find the following relation of the sexes: Of those who have been imprisoned twenty times in Edinburgh, 56 were males, and 405 were females; of those who have been imprisoned fifty times, 14 were males, and 206 were females; of all the repeaters from twice to fifty times, there were 1,152 males, and 2,195 females. Though this disproportion of female repeaters obtains in Edinburgh to that extent, yet the tables show that the returns from all the prisons of the repeaters, were 6,276 males, and 6,424 females.

We notice also that there were 91 male juveniles sentenced to WHIPPING.

The reports relative to the sanatory condition of the prisons and of moral and religious instruction are gratifying, where such matters are attended to. The terms of sentence are evidently much longer in nearly every country in the world than in the United States, in Pennsylvania, certainly.

In looking at the costs of the prison, we note that the salaries in the principal prisons are rather larger than are usual in this country. The Governor (warden superintendent) receives £550, which, reduced to dollars and in gold, makes a considerable salary, where the necessities of life are cheaper than in this country. The Chaplain receives £200, the Roman Catholic priest £70, and the Episcopalian £50. The Matron receives £175.

We felt anxious to see how much each prisoner cost the government, and learned from a table, that in the "General, or State" prison at Perth, where there is an average of 733 convicts, the cost is £21 7s. 8d., after deducting profit from labor, sales of old material, &c. In some of the prisons the cost per year is as high as £50.

There seems to be a constant increase in the annual cost of each prisoner, as there is certainly a constant augmentation of their number. Although it would seem that the conduct of prisoners in their cells is marked by some improvement, one of the chief causes is said to be greatly owing to the aptitude of the keepers, who have been long in service.

The mark system seems to find favor with the government of the General Prison in Scotland. This seems to have reference to a license, or ticket-of-leave, and also a gratuity. The laws of Great Britain are more severe, and the sentences much longer than in this country, and hence a resort to the ticket-of-leave. The idea of marks, or a reward for good conduct, is what was contemplated in the Act of Assembly in this State, which the Supreme Court declared unconstitutional, having in view, it is

understood, the circumstances of the case immediately before it.

In looking over some of the rules for the government of the General Prison, we find some that will interest the reader.

The first period of the convict is to be spent in separate confinement, debarred from all intercourse with fellow prisoners at exercise and otherwise.

Gratuities are payable to each *convict* on liberation, not to exceed four pounds.

Each ordinary prisoner is to be allowed, on liberation, five shillings for subsistence-money, and a further sum may be given, not to exceed thirty-five shillings.

There seems to be discrimination with regard to religious scruples. Every prisoner, not specially exempted, shall be required to do ten hours' work each day, (exclusive of meals and instruction,) excepting on Sundays. Those on the Chaplain's list are to be exempted; also, on general fast days; Episcopalians and Roman Catholics on Good Friday and Christmas, and Jews on Saturday.

The dietary seems to be pretty good. Oat meal, potatoes, wheaten bread, some meal, some milk, some fish, of course, on different days, so as to have a variety. The quantity seems also sufficient; so that, if the quality is good, the prisoners may be well fed, if, haply, the cooking is well performed; for it is in prisons, even as in palaces, some good providence sends food, while some less favorable provision is made for cooks.

In the table which contains a view of the outlay connected with the prisoners' labor in the several prisons

of Scotland, and the returns therefor in the last year, we notice, as on the credit side, £3,372 4s. 0½d., as rated to prisoners employed in washing, sewing, and other prison services. Of this sum £924 4s. 10d. are credited to the prison in Glasgow, £520 11s. 9d. to the prison in Edinburgh, and £775 6s. 6d. to the General (or State) prison in Perth. That is 16,862 dollars in gold for that work which, in the County Prison of Philadelphia, is done by the female prisoners without a cent to the credit account.

Among the permanent rules of the General (State) Prison or Penitentiary, we find the following:

“The discipline for ordinary prisoners and convicts on probation period is that of *separation*, each being confined in a separate cell, and debarred from all intercourse with fellow prisoners at exercise and otherwise.”

There is one regulation regarding the officers of the prison which strikes us as eminently proper; it is as follows:

“Sobriety has, of course, a great tendency to support the influence of every officer. The managers would be sorry to suppose it necessary to inquire how the officers conduct themselves in their domestic circle; but it is absolutely necessary that an officer on duty should not only be in a state fit for its performance, but should have no smell of liquor which may be perceptible to the prisoners or his fellow-officers.”

That is a good rule, and we are glad to say that a similar regulation has, within a year, been adopted in the Philadelphia County Prison.



## IRELAND.

We have not received a copy of the latest Irish Prison Report, but that which we have now is the latest that has reached us, and contains some statements and arguments worthy of notice.

The whole number of persons committed to the several County and Borough Jails, in Ireland, in 1865, was 32,739, of which number 18,507 were males, and 14,232 females. Of these commitments, 8,773 were drunkards, viz: 4,407 males, and 4,366 females. There were committed 484 male and 271 female dangerous lunatics.

Of those who had been committed several times, the sexes are as follows: first commitment, 11,690 males; 3,999 females. Second commitment, 2,017 males; 1,279 females. Third commitment, 778 males; 631 females. Fourth, 452 males; 375 females. After the fifth commitment, the number of females exceed that of the males, so that at twenty-one times it stands males 82, females 432.

In looking over the statement of the prison in the County of Dublin, we notice that the annual rate cost of maintaining a prisoner increased a little, the latest statement being £29 18s. 10d. The salaries are very low.

In the City of Dublin Female Penitentiary we have a statement of the repetition of commitments within *one* year. Eleven women were committed 14 times. Four 20 times, and *one* 42 times in one year. She must have liked the place or that which led to it.

It is worthy of remark that in this prison, viz., the

City of Dublin Female Penitentiary, Grangegormra, the highest number of prisoners at any one time in the year was 266. There are forty (40) salaried officers.

The statements to which we have been referring relate to the administration of the County and Borough Jails of Ireland. We notice in other parts of the Journal the practical bearing of the Irish system.

It may be proper here to note that the information contained in these Scotch and Irish Reports more directly concern the administration of prisons, and hence must be interesting to Inspectors and Keepers of Prisons everywhere. But we would specially add that we wish a copy of these Reports could be placed in the hands of every member of the State Legislature. They show what can be done and how it ought to be done.



## PRIMARY JUSTICE.

If we have occasion to be gratified at the co-operation of others in the labors which we have had in hand so many years, and to rejoice in the fulfilment of our plans—at least our wishes in many things, and in many places—especially at the growing interest in the subject of Prison Discipline in our own State, we are not without cause of regret that the progress of improvement is so slow that many evils touching seriously and injuriously the citizen, so extensively as to be a public grievance, remain yet uncorrected, scarcely reached, indeed

by any effort at improvement, though they must be met in time by the rising tide of public philanthropy.

In some things the law is far ahead of practice, in others the practice leads legislative action.

The law is explicit as it regards the separate confinement of convicts, yet three and four convicts are found in the same cell in our county prisons, and two at least in the Eastern, more, perhaps, in the Western Penitentiary. The law rather permits than provides means for ameliorating the condition of prisoners. Private and associate efforts are doing much in that direction, and are only hindered by the inability to reach effectively the prisoner. But the primary place of justice, the magistrate's office, is the same. The man is by election made a magistrate that he may enjoy the profits of the office. The honors are not now very considerable. And when he has incurred the expense of preparing his "office-room," and taken upon himself the weight of "rent," and perhaps relinquished some moderately remunerative trade or pursuit, he naturally—he necessarily, perhaps, looks around to see how these expenses are to be met, and himself and family maintained. The way is before him—he must have official business—he must commit, not settle—he must have costs as he has no salary, and it is rather more than most people can be expected to do, to send away the complaint without the fee—or to settle a case without costs, when both fee and costs are legal.

We are not of those who think that the aldermen are censurable for taking costs, and "binding over," or "committing;" they have the oath, which certainly jus-

tifies, if indeed it may not enjoin this action. Many of the aldermen are respectable and humane citizens. They do less evil and more good than would many others who condemn their conduct and would occupy their places. But some of them, respectable and humane as they are, perpetuate the evil, of which so much complaint is made. They have a right to fix the costs, &c., the law allows and their families require it. The law should not allow them to have costs. The remedy is difficult and remote—the evil lies chiefly in the Constitution of the State. But correction is possible, and when a few respectable and humane citizens, of sound judgment and good discretion, can be commissioned to take charge of the police stations, and hold there or somewhere else their courts, with some discriminating powers, and a good, living salary, without a single cent derivable officially from any other source, then we may hope to see the great evil remedied.

It is generally supposed that men of less mental power would answer the purpose of police magistrates, than are required for judges of the Court of Sessions. We scarcely agree in that opinion. Less law is needed. We do not know that a police magistrate need be what is termed “learned in the law:” therein he must rank below the Judge—but the police magistrate must add to a habit of discrimination, an ability to judge of the character of his prisoner, and a sound, extraordinary discretion, to discriminate between the habits, condition and circumstances of those before him. If guilty, the Judge must pronounce a sentence, mitigated, of course, by circumstances, but even when the magistrate believes

the prisoner guilty of the particular act charged, he ought to be able so to arrange his decision as to avoid, if that is best, the severest action which the prosecutor invokes.

---

## OBITUARY.

### ISAAC BARTON.

In our last year's number we expressed a confidence that the future numbers of this Journal could scarcely fail of an obituary record, and we are not likely to fail in our prediction. Death has within the year of which we record our doings and our sufferings, taken from us a member who seemed moulded to the most gentle uses of his kind, and qualified by nature and by grace for the labors of the best branch of our duties.

ISAAC BARTON, a merchant of this city, and long a useful and respected member of this Society, died in the month of April, 1868. His life was one of gentleness and usefulness. As a merchant, as a citizen, and as a philanthropist, he was successful in acquiring wealth, respectability, and gratitude. He died peacefully—hopefully, and his bequests to the Society showed how much he was attached to the principles upon which it was founded, and how practicable he regarded its plans of usefulness. The Society made a record of its appreciation of its loss in the death of such a member,

and while it gratefully receives his legacy of money, it valued greatly his encouraging presence, and esteems of unspeakable price his legacy of approbation of its plans and labors.

We subjoin a record of proceedings :

At a stated meeting of the Acting Committee, held Fifth Month 21st, 1868, the following memorial and resolution, in relation to ISAAC BARTON, offered by Joseph R. Chandler, was unanimously adopted.

It is a part of the providence of God that in the midst of our pursuits, whether of business or of philanthropy, we should be occasionally aroused to the solemn truth that our lives are held by a feeble and constantly weakening tenure; and the labors in which we are engaged are of little consequence to us, unless they may, by their consequences be connected with that state in which the tenure of existence is fixed and permanent.

Such a monition the members of this Society have had in the recent death of Isaac Barton, whose presence in our midst was wont to be an encouragement to additional good resolves, and whose services were always examples of cheerful sacrifice and faithful labor in the cause of pure humanity.

Mr. Barton was for many years a member of this Society, to which he was attached less by his love of social intercourse than by his deep practical sympathy in the motives of the Association, and his hearty assent to the plans and means by which the Society seeks to secure its ends.

Mr. Barton was known in the circle of commerce as a business man of that sound discretion and consistent

devotion that seldom fail of success; and especially of that strict integrity which makes success valuable to Society by illustrating the dependence of permanent success upon established integrity.

To Mr. Barton's fair standing in Society it is not necessary now to refer, excepting as that good standing reflected credit upon all his associations, and served to show how compatible is active Christian philanthropy with prosperous business pursuits. But it is of Isaac Barton as a member of this Society that it is proper at this time and in this place to speak; and it is our loss in his death that we have to lament. A loss not only of the pleasure of personal intercourse with one so gentle and so devoted, but especially the loss which the cause of sound philanthropy and the direction of prison discipline sustains in the withdrawal of his co-operation from the good work, and of the encouragement of his approval which lightened the labors of his co-workers.

Most of us remember the moderate counsels of our deceased member, and his gentle but effective advocacy of measures that he regarded as right—right, not always from his own experience, but often because they were recommended by those whose services he honored, and whose integrity of purpose warranted the confidence which he reposed in their greater experience, even to the relinquishment of his own propositions—for Isaac Barton was not only a philanthropist and an honest man, but he was, in the fullest sense of that word, a modest man. Fixed and sincere in his principles, but yielding and compliant in their application, gentle in the advocacy of his views, earnest and energetic in the execution

of whatever plan he resolved to aid, clear and prompt in the expression of his appreciation of any measure, he never failed of courtesy to those who might advance and defend variant propositions.

The withdrawal of such a man from the institutions of benevolence which he so honored, is an occasion of personal and social regret, and in that general regret the "Society for Alleviating the Miseries of Public Prisons," believing that it has unusual cause, makes herewith profession of special and deep participation, and thinks that it does service to the cause of humanity when it proclaims its appreciation of the quiet and unobtrusive services of so good a man; and it does nothing more than simple justice to the feelings of every member of the Association, when it places on record its profound respect for the active virtues and pure life of Isaac Barton, and its deep regret at the death of so worthy a member.

Mr Barton, as a token of his respect for the objects of this Society, and his approval of its use of means, bequeathed a goodly sum to aid in the work of ameliorating the miseries of public prisons. While accepting the bequest with gratitude to God for putting it into the heart of the deceased to continue his good works even after his death, the Society is rather gratified than surprised at the bequest, because "the liberal man deviseth liberal things."

*Resolved.* That this short memorial be spread at large upon the record of the evening's proceedings, and that a copy thereof be transmitted to the representatives of Mr. Barton as a token of the respect which the members entertain for the beautiful life of the deceased, and as an evidence of deep sympathy in the sorrow of his bereaved friends.



## OTHER SOCIETIES AND EFFORTS.

We learn with pleasure that the spirit which actuated our fellow-citizens in several counties of this State to establish "Prison Societies" under various names, but with the end of aiding to alleviate the miseries of public prisons, and improving the lives of prisoners, has not ceased to be profitable in stimulating the members to good words and works in promoting the great and good objects for which they associate.

We are glad to state that a society, recently formed in Wilmington, (Del.,) has commenced its labors with enlarged views of usefulness in both branches of the work that belongs to Prison Societies. It has its members busy in the cells of the prisons, and it has its Committee active in trying to procure from the State Legislature the establishment of a system for their penal and charitable institutions, and the erection of a State Penitentiary.

There is in Delaware ample grounds for labor; and any well-directed action there is certain to produce favorable changes. When once a "system" for the administration and responsibility of public prisons, from a penitentiary to the lock-up house shall have been established, modifications of penal laws will follow. Surety of punishment is a better preventive than cruelty, and the reform of the criminal is of more value to the community than his punishment. The great object is to have the reform a consequence of the punishment; Delaware continues the old system of whipping and

the pillory. The advocates of that punishment seem to think that they deter the incipient rogue from doing more wrong, (not often, we think,) or they say that the lash and the pillory, will at least prevent the offender from committing depredations within the operation of such penal statutes. If that is really so, and the man who smarts under the legal cat-o'-nine-tails of Delaware comes no nearer his old theatre of action than Philadelphia or Baltimore for fear of a renewal of the punishment, then it would seem that Delaware has a sort of ticket-of-leave by which she drives (or aids) her convicts to follow their depredations beyond her territorial limits.

---

## INDIVIDUAL WORK.

### RICHMOND (VA.) PRISON.

Among those who have done honor to our Society by their disinterested and efficient labors in the cause of alleviating the miseries of public prisons, may be reckoned as eminently prominent, Jeremiah Willits, Esq., a record of whose observations on visiting prisons and almshouses has several times appeared in our Journal. Mr. Willits, in 1867, moved from this city to Richmond, Va., but *cœlum, non animam mutat*—he changed his residence, but not his habits, and among the earliest of his visits in the capital of Virginia, was one to the prison of that city. A letter which Mr. Willits recently

addressed to the President of this Society, shows what he found in the prison and what he felt it his duty to undertake, and how he advanced in the work :

RICHMOND, Eleventh Month 13th, 1868.

*James J. Barclay, President, &c.*

In 1867, having settled in Richmond, I received a permit from Governor Pierpoint to make regular visits at the Penitentiary, with the object of instructing those prisoners who were willing to receive instruction. Upon first entering on my volunteer duties, it was evident there had been much labor extended in re-organizing, rebuilding, and repairing the waste places, yet very defective in cleanliness and comfort. Some overrun with vermin, some of the cells so open, and without fires in the winter, the inmates complained of being frost-bitten and rheumatic, the cause of which was in some measure remedied when attention was called to it. I was received and aided by the then Superintendent with much kindness and fellow feeling. He gave me the keys, to have free access to all the cells, which opened to me a field of labor unlooked for. More than three-fourths of the inmates were colored, and mostly freedmen, without the knowledge of letters, numbering altogether over 400—many of the white as well as colored were uneducated. We were indebted, in our first effort, to the American Tract Society, for Primers, Spelling Books, Testaments, and Tracts, liberally bestowed, which were distributed in the cells, and where one was found among them who knew his letters, or could read, he was appointed teacher of the others. It was interesting to witness their eager pursuit of learning. In a few months numbers could read intelligibly. Application was then made to the Bible Society for Bibles and Testaments. The Governor, and Superintendent Pendleton signed the application. The number—I think three hundred—was promptly supplied with fifty copies of the New Testament, of large type, through the instrumentality of J. B. Crenshaw, which are placed with those who have defective vision.

To the Freedmen's Bureau we are indebted for three hundred Spelling Books. Our teaching heretofore had been from cell to

cell, but the material placed in our hands induced us to open on a larger scale—a Sabbath afternoon School was suggested, and Superintendent Pendleton joined heartily in it, and gave his personal aid on the opening. Having a fear of bringing too many prisoners into one collection, thought it prudent not to have more than forty to sixty brought into School the same day. The same policy was pursued when Ministers of the Gospel visited there. But subsequent experiments by the new Superintendent, B. Wardwell, has proven his mistake. He, a whole-hearted philanthropist, an original character in the field, has worked up a reform which I trust will redound to his praise, not only here but in other similar institutions. The introduction of cleanliness, which is akin to godliness, was the first step, through white-wash, paint, and other appliances in the cells, made them places of comfort. The walks ornamented with vines and shrubbery, giving an air of cheerfulness—with a kind word to the prisoner are auxiliaries in the reform of the criminal, and renew in him a self-respect, and hope that all is not lost with him. In this place the prisoners are brought, not by fifties, but the whole four hundred or more at the same time, to hear words of kindness addressed to them. Then, on Sabbath afternoon, they are collected in a large room, fitted up for a place of worship, with seats and chairs of their own manufacture, to seat the whole. The order and decorum there are praiseworthy. There seems to be combined in the person of B. Wardwell, that of Superintendent, Moral Instructor, the Friend of Prisoners, and Teacher, with firmness to maintain discipline, and order in carrying out the objects of a Penitentiary, keeping an eye to a higher object, that of a School of Reform. Teachers from outside are invited to attend, and many among the prisoners are rendering valuable assistance. The Bibles and Testaments donated are used as class-books and spelling-books for the spelling-class, making the best of the material at our command. We are greatly in need of Readers, Slates, &c., which we hope some benevolent body may supply. A benevolent individual has started a library, presenting eighty volumes, which has been increased by others, making at present over one hundred, but they are of a standard of literature too high for common readers. If some of our prisoners' friends would be so kind as to send us some

of their books, that are but little appreciated in their families, they would be doing a good work in the right time, and a sum of money collected and invested in suitable books for our Library, will meet the thankful acknowledgment of thy friend,

JEREMIAH WILLITS.

Since writing the above we have received a partial supply of Slates and Readers, through our kind friend, Richard Cadbury.

---

## MAHLON H. DICKINSON.

Beside the operations of societies and individuals, already referred to, we have to note with pleasure that Mr. Mahlon H. Dickinson, in 1868, renewed his visitations to the prisons and almshouses of the State, and while he found the same evils which he noted and condemned in his former report, as existing in some of the prisons and almshouses, he met with occasions to applaud the well directed philanthropy in some counties, by which the true spirit of Pennsylvania laws is likely to be obeyed.

With reference to the insane, Mr. Dickinson, in his report to the Governor, after noting the miserable prisons, says :

I find that the same short-sighted economy that fails to provide hospitals and almshouses for the unfortunate, prevails in the construction and management of the prisons of these counties.

It is in the cells of these miserable hovels that the insane are confined.

There being no other place provided for them, they are handed over to the care of the county jailor, who, from want of experience, cannot give them proper attention, and the treatment they require, which adds to the sufferings caused by their disease, the *punishment* inflicted upon the vilest criminal confined within its gloomy precincts.

The evils resulting from such a system, I know from personal observation are great, and a remedy should be applied. I believe that nothing short of Legislative enactment will ever reach them, or effect reform.

I would, therefore, respectfully call the attention of your Excellency, and through you that of the State Legislature, to the great necessity that exists for enacting laws to remedy these evils, by compelling these counties to provide comfortable places for their insane and imbecile poor.

Blair County has substituted a well planned and carefully built prison for the wretched limestone house which was recently noticed.

So, also Lycoming County is doing its duty in the erection and near completion of an appropriate prison.

Northampton is doing the same good work. Mr. D. thinks the new prison is the best yet constructed.

Mr. D. thus speaks of Lehigh County:

In August last I visited the prison now being erected at Allentown, Lehigh County. Mr. G. A. Auchbach is the architect who designed the building, and is superintending the work.

The main features of this prison are strictly in accordance with those recently erected in other parts of the State where the authorities *honestly* intend to enforce the discipline called for by the laws of the Commonwealth.

The ground upon which this building stands is well chosen, there being ample space around it for a free circulation of air, and good ventilation, with excellent facilities for drainage. The material

used in its construction is of superior quality, and the workmanship, especially the masonry, of the most substantial character.

---

## DR. OURT.

Our zealous and judicious fellow-laborer, H. J. Ourt, M. D., employed a part of his holiday in search of information, in a large number of the prisons in the eastern part of this State, and the report of his visitation was read to the Society, to the instruction and gratification of the audience. Dr. O. is connected with the administration of the Eastern Penitentiary, and knows what are the requisites for a good prison, and how it ought to be administered. His minute examination into the condition of some of the penal institutions of this part of the State showed him, and through him taught us, what is the real deficiency of our prison construction and management. And his collection and presentation of prison statistics manifest his great ability for that particular branch of our inquiries.

It is a source of constant gratification that while social efforts are continued and profitable, there is a zeal and a love for the work that take the individual to scenes where separate labor supplements the good results of associated operation.

## CONCLUSION.

While we seek with earnestness to enlist the law-makers of the State in efforts to make penal and charitable institutions a subject of legislation, so that there may be concentrated and profitable action, we are no less anxious to ensure the co-operation of societies in various parts of the Commonwealth, so that the efforts toward the end of the good work may be as effective as the work itself is important. We believe our labors in these directions will be crowned with success, not, perhaps, to the extent that we desire, and which we think due to the great interest involved in the movement. But both of these ends, or rather both of these means, leading to one great and good end, require other hands than ours—the correction and reformation of public opinion, and a new spirit of active philanthropy, to which we can only minister—not create nor extensively direct—we therefore must await the slow working toward these objects, though they are ours, a part of our system, and cherished objects in all our efforts. But there is one branch of our labor that we can pursue without any additional legislative aid—without the concurrence of a single auxiliary or corresponding society; we can seek to ameliorate the condition of the prisoners within the reach of our committees; we can carry lessons of moral truth to the cells, and utter them in their hearing; we can go and whisper into their ears, and apply to their hearts the consolation of sympathy



and kindness, and open up to them the avenues of virtue, which are also those of hope.

The Legislature of the State may refuse such action as shall make easy the work of administering prisons and almshouses, and men may decline the associated labor of philanthropy—but we have a work before us that can only fail with the general spread of virtue, or can only be useless when the vicious are entirely irreclaimable. The tenant of the cell may be concerned in the question of the Irish or the Pennsylvania system, but, pending action on either, the poor wretch is deeply interested in the lesson of humanity and grace that may be given to him without regard to system, though, of course, to be more acceptable and therefore more efficacious when he is the single recipient.

While we shall not neglect any of the branches of philanthropy which belong to our Society, we shall, under all discouragement, and awaiting any discussion, feel that nothing can lessen to us the duty of visiting those sick and in prison. While such exist, nothing will prevent us when able from discharging that duty, while the door of the prison is open to our visitors.

We ought to have a more abundant harvest from our culture in the reformed ex-convicts that we meet abroad; if that harvest is not so joyful from abundance as we could wish, we may rejoice in the sheaves that *are* vouchsafed. But we have a reward in the pleasure which the prisoner manifests in the presence of the Visitor; we have a reward in the new development of virtue that errors had long concealed, and we ought to find a rich reward in the sense of a duty undertaken, even

though not fully discharged. The Good Samaritan was celebrated, his fame embalmed, in the commendation of the Saviour, not because the "certain man" was cured by his ministrations and liberality, but because of those ministrations and that liberality.

While we, as a Society, express hearty thanks to those of our members who have persisted in their visits to the prisons, and in pursuance of the plans of the Society and of its directions have carried consolation and instruction into the prison cells—we call upon those thus laboring to persist in their good works, and we invite others into the fellowship of sympathy with the erring and of sacrifice for the punished.

Our heads may be silvered or bared by age, or our hands palsied or weakened by infirmities—we may pause in the pathway of duty—but the duty exists, the pathway remains. Who shall tread the latter that they may discharge the former?

God will provide—we believe—because we believe that it is a work which he approves. If the sin of felony and vice is to abound, the grace of charity toward the felon and the vicious will much more abound.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*

# **The Pennsylvania System.**

---

**CELEBRATION OF THE ANNIVERSARY**

**OF THE**

**Philadelphia Society**

**FOR**


**ALLEVIATING THE MISERIES OF PUBLIC PRISONS.**

**HELD AT THE**

**ASSEMBLY BUILDING,**

**ON THE**

**8th January, 1869.**

 The System of Separate Confinement of Convicts considered as an  
essential element of improvement.

**PUBLISHED BY ORDER OF THE SOCIETY.**



## PRISON SOCIETY ANNIVERSARY.

---

A meeting of the Philadelphia Society for Alleviating the Miseries of Public Prisons, was held at the Assembly Building, on Friday evening, the 8th of January, 1869, to which the public was invited.

At the hour appointed, the President took the Chair, and opened the meeting with the following remarks :

We meet this evening to hear a discussion on a most important question—our *Prison Discipline*. Prior to the year 1787 our Penal Code was severe, several crimes were capitally punished, and we had the *whipping-post*, the *dungeon*, and the *gibbet*. The discipline of our prisons was shocking; no proper classification among the prisoners—the young and the old, the novice in crime and the most hardened offender, were herded together in one promiscuous mass. The male convicts were employed in cleaning the streets, and to prevent their escape, were chained. They were called “Wheelbarrow Men.” At one time a keeper of our prison permitted some of the most desperate convicts to go out at night, to prey upon the community. It was obvious that there was great need of reformation, and a number of philanthropic individuals, (among whom the venerable Bishop White, Judge Bradford, and Dr. Benjamin Rush took a distinguished part,) founded this Society. Active and en-

ergetic measures were adopted to ameliorate the Penal Law, and reform the discipline of the Prison.

These measures were successful, and great modifications were made in the Penal Laws in 1790 and 1794. The improvements in the condition of the Penitentiary were such as attracted general attention, and the Jail of Philadelphia was considered a model prison.

But it became obvious to those intimately acquainted with the system, that it was radically wrong; that there could be little hope of reformation where the prisoners were allowed to associate together—where the young and comparatively innocent prisoner, was the companion of the adept in crime; when one who on leaving the jail was disposed to do well, could easily be recognized by hundreds of his former companions; that under this system many of the prisoners were worse men on their discharge than they were when they entered the prison. After carefully watching the results, and mature reflection, the members of the Society became fully satisfied that the complete separation of the prisoners from each other, that intercourse with virtuous persons, suitable labor, and proper attention to the health of the prisoners, would prove the most efficacious means of reforming them. Under this impression, the Society used their earnest efforts to procure a change in the mode of Prison Discipline. These efforts were eventually crowned with success, and in 1829 the Eastern Penitentiary was opened. Nearly forty years have now elapsed since that event, and we confidently appeal to the records of this Institution to show the great advantages that have been obtained under the Pennsylvania System. That the system has been misunderstood is true, that by many it has been supposed to be solitary, is also true. It never has been solitary. We do not claim perfection for this system, but we have no hesitation in saying that it is, as regards the community, more efficient, and as regards the prisoner, more humane than any other. By it more are restored to society, and more deterred from the commission of crime, than by any other system. With regard

to the prisoner himself, is it not far more humane to place him in a comfortable room, well lighted, ventilated and warmed—withdrawn from vicious association; if ignorant, instructed; provided with suitable books, and visited by kind and virtuous persons, interested in his welfare; encouraged in his good resolutions, the path of rectitude shown to be the path to happiness? If not improved himself during his sojourn within the prison, he has had no opportunity of making others worse, by his evil counsel or example. When he leaves the jail his health has been improved; for neither the physical or mental condition of the prisoners is deteriorated by the separate system. Compare the health of the Eastern Penitentiary with that of any other prison, and judge for yourselves. No lunatic asylum has been erected in Pennsylvania for insane criminals, as has been the case in New York. We do not mean to say we have no insane prisoners, but we do say the Pennsylvania System does not develope insanity more than any other system. The prisoner, on his discharge, if disposed to do well, cannot have his path crossed by those who have been confined at the same time that he was, for they do not know each other. I have not time to enter into details, nor will I detain you longer, as you will be addressed by some of our most distinguished fellow citizens, who will give you their views on this subject, and from their experience, intelligence, and high position, their views cannot fail to have great weight with you. I have now the pleasure of introducing the Hon. Joseph R. Chandler.

Mr. CHANDLER said:

The progress of efforts to alleviate the miseries of public prisons, as they have found an exponent in the Society which holds an anniversary meeting this evening, has been happily and instructively set forth in the opening address of the President, Mr. Barclay.

It would well repay the labor of a philanthropist to inquire into the progress of prison construction and prison usages. Men

were imprisoned first to gratify the vengeance of a violated law, and show that the law might not be violated. Then came the idea of alleviating the physical suffering of the incarcerated, and in the progress of the work, his moral condition came to be regarded, and finally there was inaugurated the idea of restoring to society the member that crime had withdrawn, and making him an agent in social order, then the inquiry into the best means of making imprisonment a means of improvement of the convict, as it was at first intended to be a punishment—to make the law a schoolmaster, to bring the offenders not only to justice but to goodness; and hence results the idea of separating the criminal from all evil association—that in confining him in prison he shall come out from all evil companions and be separate. That is the Pennsylvania system. That is the work of the Society that led to the erection of the Eastern Penitentiary in this city. The system acquired hence the name of the Pennsylvania system, and also in Germany the first prison erected on the plan of separate confinement, was called “the Pennsylvania Penitentiary.” A second Penitentiary in this State was erected in the western part, near Pittsburgh, and built for and opened on the plan of separate confinement. And elsewhere in the country the Pennsylvania plan was adopted.

But from one or two causes, which I will not notice, there were proclaimed objections to the system. I will notice one or two of these objections.

It was said, and has lately been repeated, that the separate confinement, “the solitary incarceration” of prisoners, tends towards weakening their mental powers and impairing their intellects.

Surely that is rather a new doctrine—that retirement and “contemplation, her sedate compeer,” should injure the mental faculties. All experience, all philosophy teaches differently—and if any one will visit the Penitentiaries and inquire about the skill of the long confined inmates, they will learn that nothing is



lost of the acquisition of other times, and that intellect has been sharpened by the chance of exercising it alone.

But it is said that **INSANITY** is superinduced by the "solitary confinement" imposed by the Pennsylvania system.

This, sir, is a question of *fact*, not fancy. Have the inmates of the Eastern Penitentiary furnished an undue number of cases of insanity; more, I mean, than are found in prisons where the congregate system is applied? I answer, after having made inquiry, "It has not." The per centage is less, much less, and where my attention has been most directed, viz: to the County Prison, of all those who have been kept in separate cells, having no association with other convicts, only one has manifested derangement of intellect, and with him it is hereditary, and he was deranged when he committed the crime for which he is now imprisoned.

Insanity occurs in all prisons and under all circumstances. Generally the insanity comes early, not late, in the imprisonment. It is the result of a withdrawal from unlawful gratifications, as *mania a potu* follows a sudden abstinence from an extravagant use of intoxicating drinks. Insanity, I repeat, is to be found in prisons as elsewhere, but not so much in prisons where the Pennsylvania system prevails, as in those where is practised the congregate system. People err in confounding sequence with consequence.

Another charge against the Pennsylvania system is that it is **CRUEL**.

"It is cruel," it is said, "to take a man from intercourse with society, of which he has long been a member, and in which he has found his means of happiness, and to shut him up, 'solitary and alone;' to debar him the pleasure of seeing 'the human face divine;' to forbid 'the voice of friend or kinsman to breathe through his lattice.'" **SOLITUDE**, they say, is a cruel exercise of power, and too severe a punishment of crime.

Words, Mr. President, are potent things, and when misapplied are often very mischievous. The term "Solitary," as applied to

the Pennsylvania system, is not only a misnomer, but it is a libel. Such a word exists indeed in the statute book, but it is only one of those redundancies which law-makers allow themselves to use. It exists, I say, in the books, and therefore is heard from the bench when the judge sentences the convict; but there it ceases, no one is ever sent to "solitary confinement."

Is that confinement solitary, Mr. President, which is twice or thrice a day broken by the visits of the prison officer? Is that confinement solitary which is enlivened by the presence of some member of the Acting Committee of this Society, who, by a law of the State, may enter every one of the cells of our prisons at their pleasure, and who, by an order of the Society, must make frequent, regular visitations thereto?

Is that confinement solitary which can be enlightened and peopled by the presence of friends and kinspeople; by father, mother, sister, brother, wife and children? Can that confinement be solitary which is cheered and blessed by the presence of moral and religious instructors, where even the religious creed of the prisoner is consulted in the selection of those who are to enter the cells? Solitary! rather separate, Mr. President. Separate—but even when separate—only separate from the companionship of those who having also been convicted of crime might harden their fellow convict into bad resolves, and forestall all efforts towards moral improvement. And let me say here that this "separation" is highly applauded by all the convicts who wish that their present imprisonment may be the last they may deserve.

I do not like to quote from my own experience when I am arguing upon a principle, but I beg leave to cite an instance of very recent occurrence.

On making the rounds of the male convict block, a few days since, I stopped at a cell that contained two prisoners. I put the usual questions about "fare" and "treatment," to one—the oldest—and obtained a satisfactory reply. Then another, a good-looking young man presented himself, and to my questions about

the conduct of his keepers and the quality of his food, his reply was: "Mr. Inspector, I have nothing to say about food or treatment—the former is good enough for a criminal, and the latter is as good as others will allow it to be—but what is the quality of food, or what is a hard word more or less, to one who would, if he could, mature here a plan of a better life, so as to have a little self-respect for resolutions of future good? By what right, sir, am I shut up with another man? By what law am I to be diverted from every good intention, and feel when I get out of this prison that I may any day be insulted and perhaps ruined by recognition and companionship of the man whom you have thrust into the cell with me? I am here suffering imprisonment for violating a law of the State. What is to be done to those who violate another law of the Commonwealth, in shutting me up with another convict?"

That man, ladies and gentlemen, had a view not only of the wrongs he had done to others, but of the wrongs which others were doing to him. He was no advocate for congregate imprisonment, because he wished his to be an improving imprisonment.

I will not now detain you from better speakers, by arguing the great advantage of separate confinement. History, experience, and even fancy, present incidents of the danger of a reformed convict being driven back to crime by the unexpected appearance of one of his old prison companions in congregate confinement. Permit me to present to you an instance of the direct good experienced of keeping prisoners from any knowledge of each other in prison.

It is only a few days since that a person had occasion to speak to one of his employees, in a very humble position—who had been an inmate of the Penitentiary while the employer was a "visitor" there—after a little conversation, a well-dressed person came up and drew the gentleman into conversation, and when both interviews were completed, the gentleman recalled, if he had not recollected it before, that the latest arrived man had

also been a tenant in the Penitentiary at the same time with the other, and within forty feet of him, for two years. Neither of the ex-convicts suspected the other of having been in prison, and no one but the ex-visitor knew of their former condition. Both are doing well in their way.

The entire failure of the congregate system in this country (excepting where money can be made), has led to various schemes of prison discipline. I have not time to notice them now at any length, but there is one that seems to have taken hold of the public mind more than any other, and in some points it is worthy of favor. It has had a certain degree of success to recommend it, but that success is rather due to the thoroughness of its administration, than to the excellence of *all* its parts, and especially of that part which may be regarded as its distinctive characteristic. I allude to what is called the "IRISH SYSTEM." The *system* is rather French—the *practice* is Irish,

The first feature of the "Irish system," is admirable; it consists of separate confinement for a long time attended with some unnecessary severity, neither desirable nor profitable. But the whole success of the system rests on separate confinement, and when the administration departs from that, as it does, after some years of incarceration, the failure commences, in spite of the administration, which is careful, good, and may be good producing.

The prisoner is able, by good conduct, to earn a reduction of his time, in each division, so that a period of fifteen years awarded to a convict, may, by his good conduct be reduced to twelve years. Another stage in the progress of a convict, in the "Irish Penitentiary," releases him from separate confinement—the very means by which his improvement had been secured—and permits him to associate with others charged with felony like himself, when however good conduct is available to secure another reduction of time.

Another stage is that which places it in the power of the convict to leave the prison house, and go out into the world and ob-

tain work if he can. He takes with him "a ticket-of-leave" to be absent from the prison so that if he should be apprehended as an escaped convict, he might have it in his power to establish his right to be abroad.

Now, all this *seems* well and part of it *is* excellent. But if the first term is made so beneficial by separating the convict from his fellow prisoners, why incur the risk, in the other stages of confinement; why risk the chance, the almost certainty of destroying the good resolutions formed, and by the association with old offenders, to become ten-fold more a child of crime than he had been. Not to manifest his relapse of resolution, of course,—that would lengthen his term of imprisonment—but to make such compact with others as will on their release, insure the better fulfillment of plans of mischief.

It is stated by the advocates of this system that "this freedom from restraint—this permission to go abroad and mingle with the world, serve to try the character of the convict's repentance, and accustom him to the *uses of the world*."

That would be a tolerably good experiment if the convict was for the first time to see the world and the world's people, after his partial release from prison restraints. But these men and women know more of "the world and the things of the world," than do the excellent people who are trying to inure their minds to social intercourse. The time spent abroad would be better employed in fixing good resolves in the separate cell, when the mind has been partially illumined, and needs time and reflection to accustom it to the contemplation of its duties to itself, to man, and to God.

This "ticket of leave" is dwelt on strongly in Ireland and Great Britain as an admirable means of inducing good conduct in the prisoner. The reports of the prison officer, by whom this system is administered, declare that the ticket-of-leave men get work, and earn a little money, enough to pay their passage to America or Australia, and immediately leave Ireland.

Among the arguments in favor of the ticket-of-leave is one

founded on the assertion that these time graduates of the penitentiary find ready employment in the large factories and iron-works in the vicinity, even when it is known they are still undergoing punishment for felonies ; nay, it is asserted that they are employed because they are thus held, and because they have been convicted of crime, and having had the benefit of the penitentiary discipline, and having been partially released, they are taken in preference to the honest workmen, who are seeking or holding the position that these ticket-of-leave men obtain. It is said that applications at the prison for graduates, or ticket-of-leave men greatly exceed the supply, and the applicants have to wait their turn.

This statement, we incline to think, is generally correct. We gather it from the reports of the prison directors, and therefore may depend upon it.

But there are others who make reports of *their* visits to these prisons, and then to the workshops where these ticket-of-leave men are employed ; and one who is really an advocate of the Irish system, at least as an improvement on any other practised in Ireland, or even in Great Britain, says that having heard the master of the iron-works declare that he preferred the ticket-of-leave men to the regular "*non-felon*" workmen, he asked why ?

"Because," said the master, (we quote substantially, not *verbatim*,) "because these 'ticket-of-leave' men work cheaper, and are more obedient, more patient ; and, not being permitted to associate with the others, (the honest workmen,) do not combine with them to enhance wages, reduce time, or procure concessions from their employers, which would diminish the profits of the establishment."

I do not wish to press an argument suggested by such a candid statement, but I will say that no warm-hearted American, who feels for the rights and well-being of the laborer, could desire to see such a spirit and such a system in operation in this country. It is contrary to the feelings of true humanity, that honest labor should be elbowed aside, or debarred its fair profit, in order to

make room for those who, because they have been scoundrels, and for that felony are compelled to work for what they can get, and give up the right of labor, and the dignity of manhood, to secure employment and gain money to go and practise their criminal arts where labor is better rewarded, and crime is more successful. Surely the answer of the "master of the works" is exactly the argument for slavery. It certainly would not be approved by the laboring and the enterprising classes in this country.

It is bad enough to have prison labor brought into injurious competition with honest industry any where, and by any means; but to take the convicted felon from his cell, and place him personally in injurious competition with the honest laborer, and make it evident that the advantage he has is from his *conviction*, is to outrage every feeling of true humanity; it is, indeed, to give a premium for crime, by making it an avowed, a legal means of advantage to the criminal.

The inquiry naturally arises, "why, considering the great number of convicts that get the ticket-of-leave, why, then, is such the demand for their labor as to exceed supply?"

The answer is evident. These men, whose services are so much desired in general, only await the acquisition of money sufficient to pay their passage to America, and then they leave their country, and leave a place also for another ex-convict.

It seems to me evident that these "ticket-of-leave men" do not always wait to earn the price of a passage. If they cannot help themselves, it seems to be to the interest of others to assist them to go; and it appears evident that emigration to this country is a part of the plan of those who grant or procure tickets-of-leave for the prisoner in Great Britain and Ireland.

Not long since a Prison Society in England, that upholds this mode of getting clear of old convicts, wrote to another kindred society in this country, asking whether the American Society would receive and provide for certain "ticket-of-leave" persons if the English Society would land them in New York. Of course such a movement was condemned by the American Society as

unjust, and contrary to the laws of nations. But the proposition shows the motive of the "ticket-of-leave," and it is our duty solemnly to protest against the emptying of Irish and British Penitentiaries on our shores, even though it be in fulfillment of the "Irish system."

But it is asked "if the Irish and the English get clear of their rogues by this 'ticket-of-leave,' may we not also send ours off by the same means?" I will not answer that, but I will simply ask, where on this earth a scoundrel of that kind would go if compelled to leave the United States? The quarries are all worked on the Continent of Europe, and the British Isles are sending their surplus population of thieves and pickpockets to this country.

The corners of the streets are infested by "ticket-of-leave men and women" from England and Ireland. Every place of amusement has its squad; every little broil in the street is made or improved by them; and the city railway-cars are, day by day, crowded with scoundrels who put honest people's porte-monnaies into a pocket that conceals a ticket-of-leave. Look into the county jail, and you will find cells populous with these villains, sharpening their own genius, or instructing some American pupil to rob and plunder in the same style as abroad, and to use a "ticket-of-leave" when they can earn one by hypocrisy.

Sir, the ticket-of-leave earned or supplied by philanthropy or patriotism in Great Britain and Ireland, is a fraud upon this country, and it is a natural, almost certain fruit of what is called the Irish system.

I am opposed to the importation of such persons—I am opposed to it. I would protect our home industry against such a competition. Our own rogues are sufficiently skilled without foreign instruction; and crimes are sufficiently abundant in this country, without sharpening the genius of roguery by diplomas from foreign prisons, or even from our own. Let us take up all we can of crime afloat in society, but do not let us license it by tickets-of-leave to our own or to foreign rogues.



The Irish system deals with prisoners sentenced to five, to ten, and to fifteen years and upwards. The good features of it are its division into periods, and the right permitted to the convict to lessen the term of any period by good conduct of all kinds. The good produced in the convict seems to be in the first period in which the confinement is separate. That good, as it regards permanency is evidently lessened in the subsequent period by the association allowed of prisoner with prisoner; and it is evident from the statements made, that little permanent good is secured to the convict, as the whole labor, the whole care of the "ticket-of-leave" man is to get away from the police of the country, where every step he takes in a country so thickly populated, is watched by a policeman, and his outgoings and incomings are almost as well understood in the prison whence he graduates, taking his diploma in a ticket-of-leave, as if he were still an inmate.

I need not now dwell on this point—you will see its bearings. You know that we have no such police here as exist abroad.

The good that is found in the Irish system—the great good—is the separation of prisoners, and that was derived from the Pennsylvania system. The idea of allowing a convict to lessen the time of his punishment, by showing that it has been a time of improvement, entered into an act of our own Legislature some years since, but was found defective in some points. With that law modified and re-enacted, the Pennsylvania system would be perfect—if those who are appointed to carry it out are faithful in its administration, and the friends of the system are faithful in their assumed duties of watching the convict through his sentence, and assisting him by sympathy and advice when he shall have fulfilled his sufferings and acquired their benefit.

I will not here note another objection made by the opponents of the Pennsylvania system, viz: "that it is more *costly* than the other; that it neither makes money to the State, by the labors of the convict, nor even becomes *self-paying*."

I do not know that more than two or three prisons in this country are said to pay the cost of keeping prisoners. It may be

that one, perhaps two, which are situated near quarries of limestone, or marble, or within the demand of some particular article, may pay their own cost—nay, may return some profit. It must be a bad system, cruelly administered. But it is not of money, but of morals, that we speak; it is not entirely to profit but to improvement that the question applies, and if the toil of the prisoner is to be for the pecuniary profit of the State or County, and the destruction of his morals, it is toil miserably applied, punishment profitless to the convict and injurious to the community. I will not here touch the question of “social science” involved in the plan of putting convict labor in competition with honest industry, and making it easier to live and make money in a prison than in the honest workshop.

The charge that the Pennsylvania system leads of itself to insanity—that it is cruel—I have tried to show is groundless—two days investigation at the Eastern Penitentiary will sustain me.

If the proposed end of imprisonment for crime is punishment, then I confess that such an idea is fully carried out in the congregate system, where not only is the imprisonment a means of inflicting the vengeance of the law, but it perpetuates the infliction by begetting in and insuring to the convict the resolution to revenge himself upon society for his punishment, and to pursue a course of crime which, he learns from able professors of the art, may be more profitably and more safely practised than he had before dreamed of. The congregate system of imprisonment is a great school system of villains upon the Lancasterian plan, where every scholar is in turn a pupil and a tutor, receiving and imparting lessons sanctioned by experience, or made worthy of adoption by the ability and skill of the imparter.

Mr. President and members of this Society, there is one thought that I desire to utter on this occasion. The community at large is agitated upon the question of prison discipline—upon the construction and administration of prisons, and of separate and of congregate confinement, and we naturally share in this agitation and take part in the discussion to which it gives rise,

and the proceedings of this evening will partake of those feelings, and have their weight and influence chiefly in that direction. But let us not forget that whatever may be the form of the prison, or the system upon which it is conducted, whether more or less cruelty, whether separate or congregate confinement be practised, we have before us our work of ministration, not merely the alleviation of the miseries of the prison, but specially and mostly the alleviation of the miseries of the prisoner. And perhaps that branch of our duties is the most important where the most misery comes by bad construction, and by bad system badly administered. Let us under all circumstances feel that our great mission is to the miserable prisoner. Let him feel and profit by our ministrations of affectionate interest, whether his cell be occupied by himself alone or by half a dozen other convicts; let him hear our voice of monition and encouragement, whether he be laboring in a gang of out-of-door workers, or be safely housed away from the contaminating influences in words and works, of the confined criminal. Let him know that he is the object of our thoughts, of our prayers, and of our labors.\*

---

\* The ticket-of-leave which is so often noticed in the references to the "Irish System," and which has met with some advocates in this country, could not (it was felt) stand the test to which it was exposed; and now it is noticed that it is likely to be doomed by the British Parliament. We copy the following from a recent number of the *Philadelphia Ledger*:

"**TICKET-OF-LEAVE.**—It is announced that Lord Kimberly (formerly Lord Wodehouse) has introduced in Parliament a 'Bill' for the more effectual prevention of crime. The 'ticket-of-leave' system, it is asserted, having failed in its object. Prisoners for life escaping and being again convicted for small terms, without being recognized. Several remarkable cases were related to the House of Lords."

The "ticket-of-leave" and the "congregate system," after the first division of punishment (say one-third of the time), are the points which distinguish the "Irish system," and must destroy its usefulness. The "mark system" (that is, allowing the prisoner to shorten his punishment by continued good conduct) used in England and Ireland is good, and can and probably will be authorized and practised in Pennsylvania. But to be efficient it must be applied with "separate confinement."

The President then introduced the Hon. James Pollock, ex-Governor of the State.

Mr. POLLOCK said :

*Mr. President:* It has given me pleasure to listen to the admirable and eloquent remarks of the gentleman who has just taken his seat. Our thanks are due to Mr. Chandler, the philanthropist and friend of every true reform for his lucid exposition of the subject under consideration. I cannot add to the force or influence of his address. Although sympathizing with this Society in its objects and anticipations, I do not profess to be as conversant with its operations and results, as those more intimately connected with it and who control its action. All, however, must agree with him, that it has done much to alleviate the miseries of our public prisons—that it has influenced public sentiment in the right direction, and under its guidance, so shaped legislative action that the evils and horrors of the old congregate system have been abolished, with the system itself; and the better and more efficient one, known as the “Pennsylvania System,” been introduced and established.

The congregate system, as illustrated in the old Walnut Street prison—still remembered by many in this audience, was a school of vice—the rogues retreat, from which he was discharged at the end of his term, a finished scoundrel. It was to him a college of crime. He not only left the place, educated in the science of crime, but resolved, by the cruelties and humiliation he endured, to practise it in future. The associations of the place were evil, and that continually. The hardened and skilled criminal sat in the professor’s chair, and taught his villainies to hundreds less advanced in crime. Nor were his teachings without effect. The young offender and the repentant prisoner found no place of retreat. Vice and crime with all their corrupting influences were around them. Few could resist; many fell into the “still lower deep.”

Not only this; the form of punishment or discipline, if you will call it by that name, was degrading.

The deep damp cell—the dungeon with its gloomy darkness without one ray of light—its huge ring in the wall—the heavy chain and manacles of varied form, were also found in our jails and prisons. In my native county, Northumberland, the dungeon and its appliances were part of the prison arrangements. There they may still be seen, unused and abandoned long ago; but strange remnants of the past—curious monuments in the pathway of centuries, to mark the rapidity and direction of modern progress and reform.

The operations of this Society have been guided by reason and intellect, together with the promptings of a pure and unselfish philanthropy. Its influence, not only upon the discipline and management of our public prisons, but on our criminal code generally, has been felt and acknowledged. The criminal code of our State has been remodeled and reformed. Cruel and severe punishments abolished—the death penalty inflicted only on conviction for murder in the first degree—the maximum of punishment fixed by law, all under this is at the discretion of the Court. Judgment and mercy have met together, and under the direction of wise and righteous Judges, justice is administered in the interests of society, the criminal and humanity. This Society has no sympathy with crime, however much it desires the reformation of the criminal. It recognizes all that the law enjoins; but recognizes and treats the criminal as a man. It seeks to lift him up—to alleviate, not prevent the punishment of crime. Punishment is a pain—imprisonment a loss. No one expects to find a cell furnished with all the comforts and luxuries of a home of innocence and virtue, no philanthropist desires it; this Society does not advocate it. It knows that the prisoner has forfeited his liberty by his crimes; and whilst it seeks to reform and restore him to society, and make him a useful and better man, would accomplish these desirable results by some other system than the congregate—by those inhuman punishments that

marked and disgraced the dark ages. We do not deem the present system perfect, but we advocate and sustain it as the best yet introduced, and better adapted than any other to secure the great ends of punishment, the protection of society, and the reformation of the criminal. We are certain that it cannot be improved by a restoration of the old convict system—the congregation of vice, crime and criminals. Show us any practicable improvement that will not destroy the efficiency of the reformatory course through which the prisoner passes, and this Society will approve and urge its adoption.

Our present system has been greatly misunderstood, and oft-times misrepresented. It is persistently called “the Solitary System,”—the principle of separation is persistently ignored.

The solitary principle exists in our system only in name—it has no real existence, but this “solitude” has been made the occasion of fierce denunciation and clamor for a change.

Many of our people know as little of our prison system as did Charles Dickens, who rushed into our penitentiary, and then rushed out—went home—wrote a book—notes on America—caricatured our people—our institutions, and the system of prison discipline he professed to have examined. We may, as Americans, forgive the untruths of that book, but cannot quite forget them. Yet such as his, are specimen investigations of the system and its results.

Solitude when compelled, is of course onerous—terrible—demoralizing. When sought, is full of enjoyment. In the quiet of our homes, we enjoy it, and at our pleasure return again to society. The solitude of Selkirk—on his lone island—with no human voice to fall upon his ear—no human companionship or sympathy to cheer him, was terrible, although he was not a criminal. He was *alone* and no help near. Despair intensified his solitude. But such is not the solitude of our prisons. It is not absolute exclusion from all human association or sympathy. The Judge, indeed, pronounces the sentence to “separate and solitary confinement,” but it is solitary only in the sense of sep-

aration from other convicts; solitary as an alone convict; but not excluded from the care and kindness of those who watch over him, visit him and endeavor to do him good. It is only separation from other criminals—from contaminating others, if he be hardened—from debasing influences if he be young in crime.

In this system we have secured the prisoner against his debasing companions—have given him work—instructive society, and a bonus for good conduct. All these advances and improvements have been made alike in the interests of the prisoner—his reform and the protection of society. These are the results, in a large degree of the Society's efforts and labor. We may make a further advance—we will if we can, improve the present.

A gradation of prisoners, would not injure the system or the prisoner. Different accommodations might be provided for those who have a different term of servitude. Such gradation and such adding to a difference in time, a difference in accommodation, would be a premium for good conduct; and to this might be added promotion for good conduct, to consist of such privileges as the circumstances of each case would justify. Commutation, by payment for over-work, and decreasing the time of servitude, on continued good conduct, are elements that could be introduced into the system without destroying it or impairing its efficiency. These improvements are entirely consistent with the "separate and solitary confinement," required by our laws and carried out in our public prisons.

Among the objections made to the separate and solitary system, are these, that "it injures the health—demoralizes the prisoner—induces insanity, and fails to reform," and that re-commitments are as numerous under this as under any other system, if not more numerous. Facts do not sustain these allegations—the experience of nearly forty years entirely disprove them. Let us look at some of the facts, as stated in the carefully prepared statistics found in the last Annual Report of the Eastern Penitentiary, in this city. They are presented by gentlemen of intelligence—of unimpeachable integrity and true philanthropy. They

have no personal interests to subserve—no inducements to pervert the facts in the case or conclusions deducible therefrom.

Let us look at the objections of insanity—sickness—and re-commitments in the light of these statistics. First, *insanity*, as this is the great horror of the system, in the mind of the objector. From October 29, 1829 to October 1867, a period of 38 years, there were 5911 convicts in our Eastern Penitentiary, sentenced to undergo different terms of servitude from one to over twenty years. Of that number, just six were sent to the State Insane Asylum, as insane, and of these, one was insane from the stoppage of strong drink, when he entered the prison, as Mr. Chandler has already stated. In all of the cases of insanity, the probability is, that it was induced and produced more by the vices and debaucheries of the prisoners before conviction, than by the separate confinement and its consequences, to which they were afterwards sentenced for their crimes.

How stands the record of deaths for the same period. In the same prison during these thirty-eight years, the deaths were 263, an average of about seven deaths annually. There is not a town or borough in the State of the same population in which the average number of deaths has not been greater. In the case of many who enter it, the prison is a sanitary institution—separation from vicious and corrupting companions, a remedy full of health and life, and solitude a healing balm that soothes and calms, and leads oft-times to a firm resolve of a new and better life.

The number of re-commitments, instead of proving the failure of the system, sustains its efficiency and value. Out of nearly 6000 convicts in the Eastern Penitentiary during the thirty-eight years referred to, the re-commitments have been less than 8 per cent—about ten convicts annually have committed crime—been arrested—tried—convicted and sent back to the Penitentiary. Surely there must be some very efficient reformatory power in our Pennsylvanian system to deter the convict from a repetition of his crime, or the perpetration of other offences,



subject to like punishment. In Pennsylvania the number of recommitments has been much less than in any other of our sister States. The records of no other system of prisons and prison discipline exhibit such favorable results. New York and Massachusetts, with all their boasted improvements in prison discipline have no such record to which they can appeal to sustain their respective systems—to prove them better and superior to our own. But I will leave this subject to others who will follow me.

After the term of servitude is ended, we do not forsake the the prisoner. 'Tis then our aid is much needed. Let us meet him as he again enters society—tell him he is a man—that his companions in punishment cannot know and will never recognize him as a convicted and discharged felon—tell him that human sympathy has not forsaken him—that the prayers of the good are for his reform and happiness. As he leaves the prison walls take from him the garments of the prison and clothe him with the dress of honest and virtuous life—aid him to obtain suitable boarding and employment, without revealing the secret of his crime and punishment—supply his pressing necessities—let some kind agent or guardian watch over him—advise and direct his course—point him to the true source of happiness and peace—to that volume whose author is the “God of Peace,” and then may we not hope, that by the blessing of “Him who heareth the groaning of the prisoner,” he may become a useful and virtuous citizen, and in the full significance of the term a MAN.

The Rev. E. R. Beadle, D. D., then addressed the Society. It is regretted that a copy of his earnest and eloquent remarks were not penned for publication.

The President then introduced the Hon. Wm. Strong, late a Justice of the Supreme Court of the State.

JUDGE STRONG said, in substance:

At this late hour I could not be justified in discussing at length the very large subject which is before you. I shall therefore attempt nothing more than a few desultory observations. The real question now presented to the public mind is whether our Pennsylvania system of Prison Discipline ought to be abandoned, and whether instead of separate confinement of convicts, not solitary, the congregate system ought to be adopted. The comparative merits of the two systems have often been discussed, not always with entire candor, and very frequently in disregard of established facts. In reviewing these discussions, it will be found that the opponents of our system have relied mainly upon their own theories, and so far as they have referred to facts at all, they have striven to warp them to suit their own preconceived notions. But we are not obliged to rely upon mere theory when we attempt to form a judgment respecting the comparative value of our system of separate confinement. It is no longer an untried experiment. For forty years the system has been in operation in the Eastern Penitentiary, and partially also in the Western. Its practical working, its results are before us. They are before the world. They invite, they challenge examination. Careful statistical accounts have been published every year, the accuracy of which is unquestionable. Separate confinement of convicts is therefore no longer a theory. It is an actual fact, and its results may be known by all who choose to examine. To these results, we who approve such a system of punishment may confidently appeal.

All agree that the objects of punishment should be to deter from the commission of crime, and to reform the offender, restoring him if possible, to usefulness in society. In both these objects the public and the criminal have an interest, and no one

denies that that mode of punishment is best which tends in the highest degree to secure these two objects. Whether our system does thus tend may now be, not conjectured, but determined by comparing its actual results with those of the congregate system in other States where that system is maintained. I refer particularly to the New York and Connecticut system, and the prisons at Auburn, Sing Sing, Clinton, and Wethersfield, with which I am acquainted, and the statistics of which I have seen.

There are some facts of which it may not be inappropriate for me to remind you, the significance of which you will at once appreciate.

The first is that the number of convicts in proportion to our population is far less than it is in other States where the congregate system is adopted. I have not the reports at hand, but there are in the State prisons of New York probably twice as many convicts as there in both our Penitentiaries. What does this mean? Does it not tend directly to show both that our system is more reformatory, and more preventive? I assume of course that the average standard of morals in both States is about the same.

Another fact deserving of notice is that the number of second and third convictions is far less, in proportion to the whole number of convicts, than it is where the congregate system prevails. Can this be accounted for by any new theory, or in any manner which does not admit both the greater efficiency of our system in deterring from crime, and in reforming the criminal? So well settled has the conviction become, that separate confinement of convicted criminals does increasingly secure both the objects for which punishment is inflicted, that our Legislature has reduced the periods of confinement for offences, much below those allowed in other States. The sentences are for shorter terms. It is no longer found necessary to close prison doors upon a convict during so many weary years, as other States have found it needful to prescribe for imprisonment. And yet, crime, though unhappily abundant, is, to say the least, no more prevalent with us than

in other States. It is even less common, if we may judge from the number of convictions. I have not time however to point you to the full meaning of these facts. You will see however that they bear directly upon the comparative merits of the two systems of prison discipline.

My attention was attracted within a day or two to a newspaper report of a public meeting, as it was called, held at Pittsburgh, recently. It seems to have been a meeting of those who are unfriendly to our system. I cannot but think that some of the speakers had not informed themselves fully of the matter whereof they spoke. I looked over their remarks to find what objections they urged against separate confinement of criminals. I found them to be these :

*First.* That separate confinement is more expensive.

*Second.* That it is more injurious to the health, especially the sanity of the prisoner, and

*Thirdly.* That it is a cruel mode of punishment.

Let us look only briefly at each of these :

I agree that prisons for separate confinement are more costly than those intended for congregate imprisonment. I agree that the profits of the State of prison labor may be greater where the prisoners associate and work together. But what an unworthy reason is this for abandoning a tried system that has exhibited the results our system has during the last forty years? How completely it ignores all regard for the prevention of crime, and for the reformation of convicts! Is it however certain that on the whole the separate system is the most expensive of the two. Prisons may cost more—profits of prison labor may be less, but if crime is diminished, or checked, if those who have violated the laws are reclaimed, and made good members of society, there is another element to be taken into calculation, another element to which our Pittsburgh friends have given no attention. In view of this, it is by no means certain that our system is not the most economical.

Of the second objection urged, little need be said. It is founded in ignorance of actual facts. If separate, not solitary confinement is more productive of disease, or if it tends more to lead to insanity, the facts appearing in forty years trial ought to show it. But the facts are not so. What have been the facts, Governor Pollock has shown you from official documents. These documents assert that the number of cases of sickness, death, or insanity is, to say the least of it, not greater, proportionately, than it is at Auburn, or Wethersfield, or in any congregate prison. For years these operations have been before the world. They have never been disproved, and no serious attempt has been made to disprove them ! The facts asserted may, therefore, be regarded as really existing. What are we then to think of an objection that consists in the assertion of a fact that has no existence ?

The only remaining objection is certainly remarkable. It is that separate confinement is cruel. Is it indeed so ? Is it cruel to a fallen man to withdraw him entirely from evil associates, from the society and influence of men fallen like himself, to give him time and opportunity for consideration and repentance ? Is that father really cruel who separates his wayward son from his wayward companions, and allows him no association but with the virtuous and the good ? Can there be greater cruelty than to doom a man prone to evil indulgences, a man whose passions have already obtained the mastery of his conscience, and who, led by passion or temptation, has committed a criminal offence, to association with others like himself ? I cannot understand this objection. Should I ever be forsaken of God and left to the commission of crime ; should I ever be sentenced to imprisonment as a punishment for ill-doing, I should regard it the highest blessing that could be bestowed upon me that, uninterrupted by evil companions, untempted by them, I might be separately confined, left to communion with myself, where I might form such resolutions and purposes as we all desire even the most hardened convict to form. I can conceive of a reckless cheerfulness which

may be promoted by association of convicts ; I cannot conceive of purer aspirations, or of any reformatory influences to be found in such society. If, then, it is true kindness to a criminal rather than cruelty to afford him an opportunity to reform, to exclude from him debasing influences, separate confinement is not cruel.

We should not forget that the influences and experiences of prison life reach onward beyond the discharge of the convict. It is kindness to him to shield him from the knowledge even of other convicts. This may be illustrated by a single fact. Years ago, while the Walnut Street Prison, a congregate prison, was in existence, a prisoner was discharged on the expiration of his sentence. He had resolved thereafter to lead a correct life. He left immediately for the country, went into a retired rural neighborhood, and hired himself to a farmer. For some time his conduct was most exemplary. He gained the confidence and affection of his employer, as well as of his employer's family, and after some time, married the farmer's daughter. Soon the family became dependent upon him, and well did he sustain the burden. At length one day while he was ploughing in a field, a stranger at the road-side stopped at the fence and called to him familiarly. He did not cease his work until the stranger called again to him by his name, exclaiming, "You need not pretend not to know me, you and I were in the Walnut Street Prison together." Imagine, if you can, his emotions. He came to the fence, when the stranger demanded a large sum of money, enforced by the threat of exposure as a discharged convict. In vain did he plead the necessities of his family, his wife, and her parents. The stranger was inexorable, and the money was extorted. This was followed by other exactions until at last the poor victim was persuaded in his desperation to join his persecutor in perpetrating a robbery in the State of Maryland. For this he was arrested, tried, and imprisoned. This is one of, doubtless, many cases. Would it have been cruel had this man been separately confined and kept from the intercourse and knowledge of all other con-

victs? These are the objections urged at the Pittsburgh meeting against our tried Pennsylvania system. What are they all worth? Surely they were made without due knowledge or reflection. But I have no right to detain you longer.

At the conclusion of the remarks of Judge Strong, and at a late hour the chair presented the thanks of the Society to the highly respectable and attentive audience, and adjourned the meeting.





#### ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay orders of the Society, or of the Acting Committee, signed by the presiding officer and Secretary; and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be so invested; only the income thereof to be applied to the current expenses of the Society.

#### ARTICLE V.

The Acting Committee shall consist of the officers of the Society ex-officio, and fifty other members. They shall visit the prisons at least twice a month, inquire into the circumstances of the prisoners and report such abuses as they shall discover, to the proper officer appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular Minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

#### ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

#### ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

#### ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* fifth (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

#### ARTICLE IX.

No alterations of the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, and not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided the presiding officer shall have the casting vote.

# OFFICERS OF THE SOCIETY.

1869.

PRESIDENT,—JAMES J. BARCLAY.

VICE-PRESIDENTS, { JOSEPH R. CHANDLER,  
WILLIAM S. PEROT.

TREASURER,—WILLIAM DUANE.

SECRETARIES, { JOHN J. LYTLE,  
EDWARD TOWNSEND.

COUNSELLORS, { HENRY J. WILLIAMS,  
CHARLES GIBBONS.

## *Members of the Acting Committee.*

John J. Lytle.	A. Jackson Ourt, M. D.	Charles Ellis,
Edward Townsend,	Rev. Charles F. Diver,	Thomas Latimer,
James E. Kaighn,	Rev. Phillips Brooks,	John M. Wetherill,
Alfred H. Love,	Benjamin Hallowell, jr.	Benjamin H. Pitfield,
George Taber,	John C. Remington,	William Armstrong, M. D.
James Peters,	James Pollock,	Philip P. Randolph,
William Nicholson,	William Hawkins,	J. Lukens, M. D.,
Samuel Townsend,	Isaac H. Shearman,	William J. Mullen,
Albert G. Roland,	Augustus Thomas,	William R. MacAdam,
Theodore Trewendt,	J. J. Woodward,	Thomas A. Robinson,
John Livezey,	William Vanderveer,	John C. Farr,
Henry M. Laing,	Joseph R. Chandler,	Joseph Kinike,
Mahlon H. Dickinson,	William S. Perot,	John O'Connor,
Lewis R. Conard,	William Duane,	Richard G. Stotesbury,
	George W. Hall.	

## *Visiting Committee of the Eastern Penitentiary.*

John J. Lytle,	Albert G. Rowland,	Rev. Phillips Brooks,
Edward Townsend,	Theodore Trewendt,	Benjamin Hallowell, jr.,
James E. Kaighn,	John Livezey,	John C. Remington,
Alfred H. Love,	Henry M. Laing,	James Pollock,
George Taber,	Mahlon H. Dickinson,	William Hawkins,
James Peters,	Lewis R. Conard,	Isaac H. Shearman,
William Nicholson,	A. Jackson Ourt, M. D.,	Augustus Thomas,
Samuel Townsend,	Rev. Charles F. Diver,	J. J. Woodward,
	William Vanderveer.	

## *Visiting Committee of the County Prison.*

Joseph R. Chandler,	Benjamin H. Pitfield,	Thomas A. Robinson,
William S. Perot,	William Armstrong, M. D.,	John C. Farr,
William Duane,	Philip P. Randolph,	Joseph Kinike,
Charles Ellis,	J. Lukens, M. D.,	John O'Connor,
Thomas Latimer,	William J. Mullen,	Richard G. Stotesbury,
John M. Wetherill,	William R. MacAdam,	George W. Hall.

WILLIAM J. MULLEN, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.



NEW SERIES.]

[NO. 9

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1870.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB PRINTER,  
Nos. 306 AND 308 CHESTNUT STREET.

1870.

# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures ; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented ; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken ; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION :

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors and an Acting Committee ; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected ; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient ; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

S

*crim*

NEW SERIES.

NO. IX.

THE JOURNAL

OF *e f*

PRISON DISCIPLINE

AND

PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1870.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1870.

**JUN 24 1967**

**ROOMS OF THE  
PHILADELPHIA SOCIETY**

**FOR**

**Alleviating the Miseries of Public Prisons.**

---

*At a Special Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January,) 6th, 1870, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, CHARLES ELLIS, and DR. A. J. OURT, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Special Meeting of the Society, held First Month, 6th, 1870, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Stated Meeting of the Acting Committee, held First Month, 20th, 1870, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society.*

**JOHN J. LYTLE,**

**SECRETARY.**





# TABLE OF CONTENTS,

WITH AN ANALYSIS.

---

## **REPORT.**

Movements of the Society estimated by their fruits, . . .	9
Duties of the Society, . . . . .	10
Other Societies the results of our labor, . . . . .	10
Separate System the fruits of the Society's labors, . . .	10
Yet only one Penitentiary carries out that system, . . .	11
What has the Society done? . . . . .	11
The Society existed before Separate Confinement was promul- gated in this country, . . . . .	11
Former state of Pennsylvania prisons, . . . . .	11
Improvement in the prisons, . . . . .	12
This Society has had an influence in the good, . . . .	13
Duties multiply, . . . . .	15
Why has success not attended efforts to extend the Separate System, . . . . .	16

## **STANDING COMMITTEE.**

County Prison of Philadelphia, . . . . .	21
The success of the Separate System in the female department,	22
Help needed to aid discharged females, . . . . .	26

## **EASTERN PENITENTIARY.**

Good effected by the visitors, . . . . .	26
Letter of a discharged penitent, . . . . .	27
Visits of Committee to cells, . . . . .	28

**THE AGENT.**

His labor and success, . . . . .	29
The instrument and the mode, . . . . .	31
Efforts to extend the action of the Society, . . . . .	31

**LETTER FROM WEST CHESTER.****RESPONSE TO THAT LETTER.**

Character, object, and labor of the Society, . . . . .	34
Benefit to prisoners sometimes sacrificed to pride, . . . . .	35
Importance of separate dealing with prisoners, . . . . .	37
Statement of results in County Prison, . . . . .	38
Duty to keep the untried separate, . . . . .	39
Consideration of commutation, . . . . .	40
Difficulty of finding the right kind of officers, . . . . .	41
Necessary to distinguish between the Mark System and the Irish System, . . . . .	42
Consideration of the importance of teaching in prison, . . . . .	46
Courts of conciliation, . . . . .	47
Change of writer's views on the Separate System, . . . . .	48

**COMMUTATION.**

Its operation, . . . . .	52
Not applicable to county prisons, . . . . .	53
Penitentiary prisoners discharged under Commutation Act, . . . . .	54
Statistics of Penitentiary prisoners, . . . . .	56

**THINGS MUCH NEEDED.**

House of Correction needed, . . . . .	60
Enlargement of County Prison more needed, . . . . .	61
An intermediate institution required, . . . . .	62

**THINGS THAT CALL FOR IMPROVEMENT.**

Duties of Aldermen considered, . . . . .	64
The evil of fees, . . . . .	65
Different mode of appointing Magistrates, . . . . .	66
Indefiniteness of terms an evil, . . . . .	67

**CRIMINAL LUNATICS.**

More provisions in this State required, . . . . .	68
Arrangements in England, . . . . .	68

**NECROLOGY.**

Philip Physic Randolph's death, . . . . .	69
Remarks of the President, Mr. Barclay, . . . . .	70
Memoria and resolution by Vice-President Chandler, . . . . .	72
Committee to convey proceedings to the family of Mr. Randolph, . . . . .	76

**FOREIGN REPORTS.**

These foreign reports interesting to prison Inspectors, . . . . .	77
Admirably formed, . . . . .	77

**IRELAND—CONVICT PRISONS.**

Number and ages of these convicts in 1868 . . . . .	78
Length of penal servitude, . . . . .	79
Discharged by various modes, . . . . .	79
Ticket-of-leave men return, . . . . .	79
Different view of convict labors, . . . . .	80
Success with female convicts, . . . . .	81
Mount Joy male convict prison, . . . . .	81
Offences and punishments in prison, . . . . .	82
Three denominations of Chaplains, . . . . .	82
Separation strongly recommended by Chaplains, . . . . .	82
Disputes among convicts on the subject of Psalmody and Hymnology, . . . . .	83
The uses of the sacrament permitted, . . . . .	84
Lady visitors useful, . . . . .	84

**SCOTLAND—PRISONS.**

Number of prisoners, and prisons, and cost, . . . . .	85
Increase of prisoners, . . . . .	87
Comparative number of male and female prisoners, . . . . .	88

**WEIGHING.**

Gain and loss of weight by imprisonment, . . . . .	89
--	----

**SALARIES. . . . . 90****PERTH GENERAL PRISON.**

Character and condition of its inmates, . . . . .	90
Wonderful predominancy of females, . . . . .	91
Length of sentences, . . . . .	91

**INSANE. . . . . 91****MARK SYSTEM.**

Operations of that system, . . . . .	93
Bad effects of ticket-of-leave, . . . . .	94
Removal from prison, . . . . .	94
Provisions for the safety and the rights of convicts, . . . . .	34
Reformatories and Industrial schools, . . . . .	95
Reformatories in Great Britain, . . . . .	95
Number and character of these schools, . . . . .	96
Discrimination with regard to religion, . . . . .	97
Successful treatment, . . . . .	97

**REPETITION OF CONVICTION. . . . . 98**

Comparison of Scotch and English Reformatories, . . . . .	100
---	-----

**INDUSTRIAL SCHOOLS.**

How supported, . . . . .	101
How composed, . . . . .	101
Great number, . . . . .	102
Number to be increased, . . . . .	103
Great impartiality in the religious administration, . . . . .	104
Printing in the schools, . . . . .	105
Female teachers necessary, . . . . .	105
Honorable Secretary, . . . . .	105

**CONCLUSION.**

Notice of the labors of Jeremiah Willits, . . . . .	106
His services in Richmond, Va., . . . . .	107
Letter of invitation to him, . . . . .	108
Good results of the travels of members, . . . . .	108

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T.

---

THE movements of society, like those of the stellar world, proceed with so much regularity that we are apt to mark them more by the effects which they produce than by the rapidity of their progress. Individuals and societies maintain their relative positions as do the stars, so that we notice the revolutions of both, less by the different relations of the great masses, than by the movements of the few. The constellations which may be systems for themselves interest us less than the planets which make up our own system. From the "formed" and "congregated" worlds of those distant systems, individual stars seem to be gifted with erratic movement which we note for curiosity or general instruction. The slightest aberration in a single planet of the solar system would arrest observation, and perhaps betoken disaster. So whilst the hundreds of societies which in this Country and in Europe have been formed and sustained to supply some want, or lessen some misery which dis-

tinguishes our age, which is inherent in man or which results from existing social combination, receive the notice of the observing of all similar associations, each has it, as a special duty to note its own movements and the progress or aberration of its particular dependencies or those in special relation with itself.

Our duties as a Society are to guide and direct, and then to record, the progress which we make, and then to note the movements of other associations in general harmony with our Society. We cannot grasp all at first, that is a power beyond our gift.

“God sees from whole to parts: the human soul  
Must rise from individual to the whole.”

We shall endeavour to give a statement in the present “Journal” of the movements of our Society in the year 1869, to show some of its effects upon other associations, and by itself and by those associations its influence upon public sentiment. Indeed we regard the existence of many of the Prison Societies in the Country, and all perhaps in this State as proof of the effects of this Society upon public sentiment; awakening that sentiment and informing it, and then directing it to practical uses.

It would seem strange to one not well instructed in the subject of Prison Discipline, and not specially conversant with the opinions of a large portion of the people on the uses of imprisonment, that the Society claims for itself the credit of having promulgated and procured the practice of the separate system of imprisonment, and demanding also for that “separate system” the

credit of being the only plan by which imprisonment may be calculated on as useful to the community and morally improving to the prisoner. We say it would seem strange to some that with all this, the only Penitentiary in the Country that practises the separate confinement is the "Eastern Penitentiary of Pennsylvania."

What then has "the Philadelphia Society for Alleviating the Miseries of Public Prisons" really effected? What are the fruits of its labors. If separate confinement is the great instrument of its success, where has it been successful? If those means are not secured, what has it done, if it has not succeeded in producing that which is the great instrument of the success, the instrument indeed, without which it cannot predict complete success?

Let us answer these queries, because they seem pregnant; and, until answered, they may impede the action of some well meaning friends and aiders of philanthropic movements.

*First.* "The Society for Alleviating the Miseries of Public Prisons," was in existence long before the idea of "separate confinement" as a means of improving the prisoner, was promulgated in this Country. The labors of that Society were begun and prosecuted at a time when, so far from the punishment of convicts being by separate confinement, it absolutely consisted of "public exposure," and the man convicted of violating the laws of this State was sent into the public street with a ball and chain to his leg, and a wheelbarrow at his arm, to do the scavenger or other work of the city. In all parts of the State the congregate system existed, and was car-

ried out to its fullest extent. The theory might have been a little less "miserable," but the practice was a congregation of all classes and both sexes; and the detestation of crime might be considered so deep and practical that criminals were to be regarded as wholly irreclaimable, so that the "miseries of public prisons" were augmented by the practice of vices that in themselves should be punishable.

Imprisonment for debt existed in this State, and crime and misfortune were confounded by the imprisonment, not only in the same prison but in the same room, of the debtor and creditor.

The prisons were then, as some of them are now, cold in the winter, stifling and hot in the summer, and miserable places in all seasons.

This Society moved quietly and steadily, and one after another the miseries of public prisons were abated, and we no longer see the chain-gang, issuing in the morning from the prison to commence its daily labor in the street. This was among the earliest work of the Society, after the ministration to the individual prisoner.

With scarcely an exception the sexes are at worst kept separate, and discrimination is had with regard to the character, age, and circumstances of the prisoner in many places, and thus filthy vices are diminished.

Imprisonment for debt is by law abolished in the State, and while one portion of the Philadelphia County Prison retains the name of "Debtors' Apartment," the reason for the appellation is set forth in the adjunct of "Old"—"The *old* Debtors' Apartment."



Prisons in many parts of the State are now generally comfortable in both winter and summer. Heat is communicated to the cells, and proper beds and bedding supplied to the inmates. In the summer, ventilation is provided, and at all times, water and personal conveniences are immediately and at once available.

Has the Society done all this? We think it has, and has done much more.

We do not mean to say that the Pennsylvania Society has gone to the State authorities and said: "Let there be no more chain-gangs in the streets from the prison. Let there be a division of the sexes in the prison. Let there be no more imprisonment for debt—no more confusion of crime and misfortune."

It certainly has not produced all the good of which it claims to have been the promoter, by any such assumption of power. But while it has aimed at the correction of all the evils to which we have referred, and tried to produce all the good which is evident in the changes of prison discipline, it has so wrought on public sentiment, so labored with the opinions against the habits of the public, that these changes seem to be the result of the regular advancement of the principles of humanity—and so they are; but that regular advancement is due to some cause or agency.

We must never forget that certain principles, upon which the best men seem to be acting, with some idea that those principles are as fresh and novel as is their labor, are as old as truth—they belong to the Divine law of love—and in all these efforts to relieve the miseries of public prisons, we and others are only carrying

out the maxim proclaimed by the Author of Christianity: "All things whatsoever ye would that men should do unto you, do you even so to them." The success of one effort often leads to labor in a new direction, and the failure of efforts in any direction often leads to an inquiry how the cause may be removed, and thus a means discovered of diminishing the evil.

Now, while this Society has been unostentatiously engaged in the good work which it professed to have in view, the value of that good has constantly increased, by the development of the miseries which were almost hidden behind the greater and more obvious evils. And it may be added that while philanthropists for a time limited their exertions, and their views and hopes to a diminution of the crying miseries of public prisons, those exertions lead them to consider how imprisonment might be converted from a simple brutal instrument of public vengeance, to a means of individual improvement, and, in proportion to the number of those individuals, to an occasion of public benefit. So that the prison, instead of being a pest-house of incurables, should become a moral infirmary, where the dignity of man being rightly respected, the offending member of society might be received, nursed, and restored to the community in soundness of principles and purity of morals.

Step by step philanthropy has advanced in the good work, and what has already been achieved, could it have been foreseen, would have been regarded by the humane agents as almost a miraculous result, yet we who occupy the advance point, feel that the work multiplies—that what has been done only shows what is

to be done, and even past success is only the enforcement of the duty to advance.

We stop not now to enumerate the points which are yet to be attained. Especially do we not attempt that enumeration, because we know that every new achievement seems to open up new causes for labor, and new application of our principle of relieving the miseries of prisons. We do not "tremble," but from the heights already attained,

"—We *glory* to survey  
The growing labor of the lengthening way.  
The increasing prospect tires our wondering eyes—  
Hills peep o'er hills, and Alps on Alps arise."

So much remains to be done, only because so much has already been done, and he who looks to the termination of the work of humanity, must learn to wait till all things human cease.

Erroneous education, bad association, strong proclivity of the mind towards evil, will work out vice and ensure crime, and while these results expose the offender to the penalties of a violated law, the offending and suffering object is the very one to which the obligations of our Society send its agents.

But if this Society has the satisfaction of seeing its efforts blessed towards the improvement of public sentiment in regard to the miseries of public prisons, it may be asked how it is that in so many States, where the true spirit manifests itself, there are not measures adopted for affording to the prisoner the true means of profiting by his imprisonment—that is, why in those States are

there so few attempts to keep one convict from association with another, according to what is denominated the Pennsylvania System ?

We answer, that the labors of this Society have been eminently successful in awaking the public mind to the evils of the public prisons as they have long existed. It was only to invite attention to the situation of public prisons, and at once almost all assented to the truth of the statements made, and to the duty of attempting some alleviation of the evil.

But the correction of that evil was another matter, more difficult of comprehension, and, if undertaken on the Pennsylvania plan, then at first attended with increased expense.

Sometimes the evils were admitted as pointed out, and the benefits of correction assented to, but some one would start with a plan for achieving the desired object with less than the necessary but *undesired* cost. And so either nothing was done, while awaiting discussion, or much money was spent in carrying out an untried experiment, which, if it was not sure to fail from the first, did assuredly fail at last, and left with the public a disrelish for all attempts to alleviate the miseries of public prisons. One of the great causes of failure in other States, is the attempt to compromise matters—to make the Pennsylvania system subservient to the old customs, and thus to destroy the little benefit which the good administration of a bad system could and did produce, without securing any of the advantages of a good system well administered.

One other disturbing cause may be cited, viz.: the

miserable desire to see a State prison self-sustaining, or even contributing to the public treasury.

This plan—the bargain with crime and profit—this sacrifice of all hope and means of personal improvement, to the hope and means of public gain, may be successful in certain places, where there are materials for labor and manufacture. Some State prisons are on sites carefully selected, on account of their immediate proximity to granite or marble quarries, or deposits of limestone, or iron ore. And the convicts are condemned to social labor, under inflictions that are sure to make some money for the establishment, and to ensure a perpetuation and increase of the bad feeling.

This theory of improvement is at least spoken of in locating these establishments, and planning their government. Religious and moral *instructors* are provided in some of them, and the whole in its incipient stages, seems to promise some realization of the hopes of improving the prisoner as well as punishing him. But the strong inherent spirit of profit, the love of gain, the *aura sacra fama*, interferes, and the new State prison is made to resemble in spirit the galleys of other times and other nations.

The truth is, that the sense of the miseries of public prisons is more easily communicated, than the sense of duty to alleviate those "miseries." Among the acts which the Author of Christianity mentioned as a part of the duties of his followers, were visitation and ministration to the prisoner, but as available visitation or systematic visitation is attended with care, and requires much combination, we find it easier to arouse the mind

of the public to the sense of the miseries of prisons, than it is to induce hearty, persistent effort of contribution and sacrifice, public and private, to the amelioration of these miseries. Immense amounts of money have been spent in attempts to conduct public prisons on plans that admit of partial association for the sake of labor, with the intent to procure the benefits which are certainly attainable by separate confinement. Failures surely and naturally attend these attempts—here and in Europe—but especially in this country. It is vain to hope for good results from associating convicts. The plan as compared with the Pennsylvania system, would be like attempting to keep time with a chronometer that is destitute of a main spring, or a clock that has no pendulum.

While the labors of Philanthropists and of Prison Societies have done much to arouse and inform public sentiment on the subject of prison construction and prison discipline, they have not yet produced upon the public mind the idea of a necessity to sacrifice some cherished views—some plan connected with the past. The improvement in public sentiment as yet, in some places, is not complete, and like most other attempts at reformation, it is yet contending with the influence of habit, and partakes of their character. The purest light that the sun gives down is oft tinted by the colors of the object on which it falls. We must wait the triumph of that which is correct, and bear with patience and hope the impediment of prejudice and want of information. Though the darkness does not at first fully comprehend the light, yet it will finally yield to the purer element.

Some failures to carry out the Pennsylvania system, where it has been attempted, must, we think, be referred to a want of co-operation of the Inspector with the Officer of the prison, or rather a want of *inspection*. Officers not inspected are apt to fall into negligence, and systems that require much care, fail of effect when those who are to administer them yield to their love of ease, and neglect what seem to be the minor points of discipline.

We have often said that a good administration of a defective system is preferable to a careless administration of the best system. It is mal-administration that has defeated the hopes founded on the Pennsylvania system, when that system has been changed. It is the skilful, conscientious discharge of duties connected with the administration of all its affairs, that makes the Eastern Penitentiary, in this city, the model Penitentiary of the world. The administration corresponds with the system, and the results, so far as the system itself is concerned, fulfil the promises and gratify the highest hopes of its advocates. And wherever that system has been adopted, *and faithfully administered*, it has been beneficial. Indeed all of the success that attends any system, in any penitentiary, is due to the separate confinement that is practised in the Eastern Penitentiary. Wherever, and just so far as, that is practised, there is success. It is the departure from it that produces confusion, rebellion and escapes, and prevents the success of reformatory efforts. All that is indisputably useful in the "Irish system" (and that of England and Scotland), is the habit or system of "separate confinement." Dis-

putes, changes, discussions, and varying opinions, spring from a departure from this great and necessary portion of prison management.

While a lamentable amount of misery is to be found in many of the prisons even in this State—found, indeed, where the best ideas of prison discipline prevail, because the public, the authorities will not respond to the demands which humanity makes upon their liberality; while these things exist, and perhaps in some degree will always exist, wherever the law inflicts its penalties, this Society has the gratification of knowing that throughout the State there has been aroused a wholesome interest in the subject of prison discipline, and that public opinion is being fast enlightened, and in several counties the good work progresses, and reformation is regarded as the great end of punishment. All that we read of action in other States shows the new interest that has been excited in the great subject. It may be long before the prisons in those States are constructed and administered upon the true principles, but all the changes denote a desire of improvement—and while we may have to regret a few failures, we rejoice that these failures are made, with progress in the right direction, and that they strengthen the hopes that renewed effort will lead nearer to the desired goal.

---

## STANDING COMMITTEES.

The Society works by its principal standing committees, to one of which is assigned the duty of visiting the



prisoners of the Eastern Penitentiary, and to make report generally of their labors. Similar duties devolve upon another committee, having in care the moral aspect of the inmates of the County Prison. The members of these Committees meet monthly, that on the Penitentiary on the Thursday, and that on the County Prison on the Tuesday, preceding the meeting of the Acting Committee, on the third Thursday in each month. These members hear the report of their respective colleagues, upon the condition of what is submitted to their care.

The meetings of these Committees are often occasions of much interest, as particular cases are mentioned with freedom, and the general views of the members and of the Society are compared with actualities, so that often these reunions, though professedly for business only, become of importance to the cause, as strengthening or correcting opinion, while they keep alive an interest upon which so much of usefulness depends.

The Committee receives a report of the character and number of visits which each member has made to the part of the Prison or Penitentiary assigned to him, and also the results, if any are known, of particular labors with individuals.

## COUNTY PRISON.

The members of the Committee to the County Prison report above seven hundred visits a year from their individual members. There are about two hundred (200) visits also made by ladies, who regularly visit the cells

of the females, and produce much good. The results of these visits are noticed elsewhere. It may be proper to state that in the female department the women visitors have free access to the prisoners, and deal with them singly, no cell having more than one convict in it.

The result of special dealings shows that the inmates of prisons, whether they be old or new offenders, are susceptible to professions of sympathy on the part of their visitors, and that their confidence is easily gained when those professions present in time unmistakable marks of sincerity. Nor let any one start at the idea that *felons* are distrustful of good people who come on errands of mercy to their cells. These felons, by their very felony, become distrustful of all. They have lived by deception, by fraud, by violence, and they have associated with their equals in all these qualifications for a felon's cell. It takes time for them to appreciate the motives, and comprehend fully the language of the Society's visitor to their cells; and the visitors must have patience with this distrust, must endure the coldness of suspicion, and the neglect of indifference. A few months, a few weeks, and often a few days place the visitor and the visited in good *rappor*t, and enable the latter to profit by the visits of the former, and both to rejoice in the new state of things.

Within the year the Committee on the County Prison have had evidence of great moral reform in several prisoners; and a letter from one thus improved, shows how much may be effected by moral suasion, and how much of practical ordinary school lessons may be imparted. As these letters are not numerous, their pub-

lication is withheld lest the fact of publication make known to others the writer's condition.

When there is an opportunity to deal with the conscience and common sense of a prisoner alone, without any one to hear the lesson, or to comment upon it to the prisoner in the absence of the teacher, a good effect is almost invariably produced.

Separate confinement, that is, the separation of one prisoner from all others, is the condition of success; and that condition having been found, in the Female Department, more success has attended efforts to improve female convicts than has been obtained among the males, who are crowded together several in a cell, though it is evident that, in the County Prison, good service, faithful, conscientious labors among the male convicts, are to be credited to the excellent visitors.

But no situation of the prisoner excuses a neglect of their real wants. They are human beings, and they and their necessities are commended to us by divine precept; and though perhaps few of them leave their crowded cell with any practicable plans of a better life, yet it is not hence to be inferred that no good has been done. The word of truth, dropped into their hearts, may germinate at a later date, and favorable circumstances may warrant the hope of a plentiful harvest, or at least such a gathering as will repay all the labors of the Committee, who must "learn to labor and to wait."

The Committees of the Society feel greatly impeded in their efforts to restore offenders to a social status from a want of pecuniary means to aid them in their first efforts. Great good is done every week by the Agent

of the Society, and by the Committees for the Eastern Penitentiary and the Philadelphia County Prison, helping the discharged convicts to reach home, or to find some place of employment beyond the city. Nor do those who are punished for vices escape the attention of the Committee. They, too, need help. The vicious become guilty by neglect of others, and persistence in their own follies; and if they can be placed at a distance from the city, where there are no grog-shops, and no dens of vice, no Bedford streets to attract, they may be regarded as in a hopeful condition—in a situation where something may be done to help them help themselves. If the members of that miserable class are suffered to hang about the city, they are drawn back into those abominable slums as naturally as weakness yields to strength. They will, in moments of reflection, after suffering from a debauch, promise themselves and others that they will avoid the place and the wickedness; but when they are again brought up and reminded of their promise, they plead with much earnestness, and really with some show of reason, that nobody wants them in decent families in the city; no one will provide them with decent clothes and means to reach the country, while the places in which they had offended, invite them thither, and the companions of their past debaucheries give them a hearty welcome.

While these poor creatures are condemned, and ought to be condemned and punished for their miserable life, it cannot fail to strike a philanthropic observer that they have some reason on their side, something that seems to excuse a little, though not to justify at all. Who

will receive into their houses as servants, to be entrusted with the contents of their closets and their pantries—with the circumstances and movements of their families—women that have been leading a dissolute life? Not many. None, perhaps, under ordinary motives. But there are some, let it be said, while this matter is before us, there are some women who go down to the prison and seek for servants there, rather than in other places. They know that much bad has been shown to exist in these unfortunate and erring women—but they believe also that every one of them contains much good, latent rather than obvious, and that that good needs only cherishing, only kind consideration, and a persistent effort to give it development, to make the possessors rank with the good ones of the kitchen; and the philanthropic women also believe that it is a part of their duty as Christian women, to endeavor by some sacrifice to reform these erring ones, and restore them to the ranks of humble, virtuous society. It is then a work of love, a solemn discharge of a duty devolved upon their situation by Christianity; and when they take home a young woman from the prison they have the just idea that they are procuring some help in their household labors, and doing a simple Christian duty, a duty which is more effectually done in this form, even with one single person, than by talking to a hundred with affectionate earnestness and then allowing them to leave the prison with no fixed employment and no watchful eye.

## COMMITTEE 'ON EASTERN PENITENTIARY.

The visits of the Committee on the Penitentiary, to the cells and to the occupants of the cells in that great reservoir of the punished (and we wish we could say of the penitent), are more numerous than are those to the County Prison. The Committee at the Penitentiary is more numerous, and the labor is more promising, as the prisoners have a longer lease of their cells, and are by the discipline of the place made to depend more upon their kind visitors. The fruits of these labors are necessarily more abundant at the Penitentiary, from the fact of the better and more secret interviews of the visitor. Great good we have occasion to know has been done by these visitors, not only in making the unfortunate and guilty inmates of the cells feel that they may be helped forward, and that feeling is strengthened and augmented by the pure sympathy which the visitors manifest in their condition, and especially in them as human beings. This sympathy by the visitor, or rather this appreciation of the sympathy by the prisoner, is the great means of improvement, and it is most gratifying to the visitors to receive, as they do, occasional calls from men whom they have taught to read and write, and instructed in the great duties of man (viz : to fear God and work righteousness), and to know that the objects of their labor in prison and their solicitude out of prison, are keeping their promises of good behavior and fulfilling the hopes of those that help them in their hours of difficulty.

We have the means of making our readers acquainted with some of the results of the labors of the visitors, and it would afford them pleasure to read, as it has others—the letters which these improved ex-prisoners write to their friends of the Committee. But as our Journal goes into the very vicinity where the writers of some of these letters reside, we might do harm by their publication. From one letter now before us, written by a man who received instruction in the common branches of school learning, as well as of practical morals, in the Eastern Penitentiary, we must extract a few paragraphs. It is but proper to say that, with a deep sense of his duty to himself and society, the man left the Penitentiary, aided of course, proceeded to some distance from Philadelphia, settled down to mechanical labor, rented a house and shop, and went to work. He has, he says, a flourishing business, a good run of customers—a two-story house, a spring house, wash house, and garden, feed and pasture for a cow, and two acres of ground for corn, and is doing well, working, of course, steadily and earnestly, from morning till night. He then concludes his letter: “Give my best respects to Mr. Hallowell, Mr. Hampton, and Mr. Gregory. I still remember their kindness. May God bless you all and reward you for the kind treatment and good instruction which I received from you all.”

And the writer of that letter was a tenant of a felon’s cell in the Eastern Penitentiary, and he no where intimates an opinion that he was unjustly imprisoned.

One of the man’s prayers, is, it is believed, answered, viz: “May God bless you all for the kind treatment

and instruction which I received." There is certainly an abundant blessing in the consciousness that the labors of love have been so fruitful. That the man separated by the action of the law, and the opinions of men, from social intercourse and the confidence of those whose association would be honorable, has by steady, affectionate efforts been raised from the degradation which the punishment of crime inflicts, to the level of honest men, to a place and means that assure competency and will enable him to achieve respectability.

To the Penitentiary several women pay weekly visits, and it may be said that the female convicts in the Prison and Penitentiary in Philadelphia have their moral condition well cared for.

The following statement of the visits by members of the Committee on the Eastern Penitentiary, will show that the work has not been neglected. This table, however, does not include a statement of the visits by the ladies, who are unremitting in their attendance :

	VISITS.	IN CELLS.	DOORS.	SEPARATE.
January,	40	307	230	246
February,	25	167	220	252
March,	66	450	314	508
April,	45	348	308	487
May,	28	315	207	322
June,	47	382	549	491
July,	33	241	306	440
August,	30	200	300	400
September,	22	192	203	325
October,	37	300	259	377
November,	44	330	435	391
December,	26	189	186	204
	<hr/> 443	<hr/> 3421	<hr/> 3517	<hr/> 4443



## THE AGENT.

The labors of the Standing Committee have been noticed rather generally than particularly. Those labors are nearly the same for years. It would interest those who feel for fallen humanity to know the details of the work, but the extent of our Journal does not allow of such particulars.

A great work is done at the County Prison by Mr. William J. Mullen, who is at once the Agent of this Society and of the Board of Inspectors of the Prison.

Mr. Mullen daily visits the cells of the prison, and ascertains the circumstances of the tenants; and when it is evident that the prisoner is innocent, or that the circumstances of his offence are such that he may be released without injury to the cause of public justice and of the complainant, he enters upon the settlement of the case, and rarely fails.

There are persons imprisoned who need his aid, even though they deserve punishment. It is of almost as much consequence that the criminal should not be punished beyond his bad deservings, as that the innocent should not suffer as if guilty. Every man has a right to have his case presented to the court without exaggeration, and if the charge of the accuser should include a crime not recognized in the real offence, then it is a duty to justice and humanity that the accused have the benefit of an explanation and argument, at least against the exaggeration.

Mr. Mullen looks to these matters, provides counsel

for the poor stranger who may have offended against some laws, but not violated all.

We have so often dwelt upon the character of Mr. Mullen's labors that it is not necessary now to particularize them. They are unremitted, and always in the cause of humanity; and even though at times events show that the object of his successful kindness and care was in the special case a real transgressor of the law, yet it is known that where such has been the case, the released guilty man has been warned by the danger from which he escaped, and usually kept clear of offences thereafter.

Some thousands of cases were settled by Mr. Mullen in 1869; many more than in former years, owing to some new arrangements of the committing magistrates.

Something of the appreciation which the Society has of Mr. Mullen's services may be inferred from the fact that it is not thought possible for any Prison Society to exercise its full power, and produce the good results of which it is capable, without just such an Agent.

It may not be improper here to state that the whole number of persons whose release was, in 1869, procured by Mr. Mullen, was three thousand seven hundred and ninety-six, (3,796.)

It would startle an inexperienced person to see the list of offences for which that great number was committed. It is humiliating to a human being of any sensitiveness to see in how many ways man may violate the laws.

## THE INSTRUMENT AND THE MODE.

It is gratifying to be able to state, as we have done in our reports for several successive years, that the philanthropic inquiries of people in this country, and in most of the countries of Europe, are taking a direction towards the subject of prison discipline, its improvement and its ends, and naturally, as we think, the number of those who participate in these investigations is constantly increasing.

The evils of which complaints are made are real and extensive, and the good proposed is great, and becoming more and more apparent, and by investigation, and the details of experience, more and more attainable.

There is no diminution of the feeling, and from time to time we see it expressing itself in plans that demand execution. There seems to be a certain time necessary for the gestation of all great and greatly useful schemes. A too early attempt at execution usually produces abortion, and causes delay in the work of improvement. Circumstances must be moulded or waited for, and public sentiment educated or stirred up to the requirement of the work.

In the course of the last summer, a letter was received from a distinguished individual in a neighbouring county by one of the officers of this Society, to which an answer was, as soon as possible, returned. We subjoin a part of the letter calling for information, and append thereto the answer, as containing some of the views which the

Society is willing to have promulgated as those by which it is itself influenced, and which it would have acted upon by others.

*West Chester, Pa., July 27, 1869.*

"I know little, indeed almost nothing of the results of the labors of your association; I think, however, I can see that they have affected beneficially our State legislation. But is it not desirable that something more shall be done than has yet been by the Legislature towards rendering the efforts now made for the reformation of convicts more effective than they are?

"It has seemed to me that larger provision ought to be made for discharged convicts, in order that they may be furnished with remunerative employment immediately upon their discharge, until they can find a way of making a living for themselves, or at least for a time sufficient to afford them an opportunity of engaging in some kind of business. The means now provided by the State appear to be inadequate; and they are probably often expended without much profit to the donees. Has your association matured any plan of action in reference to this subject?

"Would it not be well that every convict sent to the State Penitentiary should be taught to read and write, and to keep accounts, when destitute of education? And ought not this to be a subject of special attention, and placed under the care of paid instructors provided by the State? And would it not be eligible to appoint some women for such a purpose. I am strongly impressed with the belief that no influences more potent for good than those which may be exerted by virtuous and sympathizing women over degraded and fallen man exists in creation. If Eve tempted Adam to his fall, her daughters have done more and can do more to help their brothers to rise again, than the best of those brothers can do for each other.

"Ought not the Governor, or some other officer, to have a general power to mitigate the rigor of prison discipline in cases of good behavior, and to propose as rewards for such behavior an abridgment of the terms of service according to some established rule?

"Have you considered the eligibility of establishing courts of

conciliation, such as exist in France, as an aid to the administration of justice in Philadelphia? This, however, is outside of the scope of my present inquiry.

"My interrogatories, I have no doubt, disclose to you how little I know about the subject on which I write; but I am asking for information, and I have sought to do no more than to indicate the direction of my thoughts, and the range of my inquiries.

"Very respectfully yours, &c.,

\_\_\_\_\_."

---

**Rooms of the Society for Alleviating the }  
Miseries of Public Prisons.**

*Philada., Sept. 9, 1869.*

To —.

*Dear Sir,*—The published proceedings of the "Society for Alleviating the Miseries of Public Prisons," show that from the time when it first put forth its efforts beyond mere organization and government, it has led in all measures which relate to the objects included in its comprehensive title, or if by chance others have conceived the idea of improving the law or its administration, this Society has not hesitated to second the movement, and aid in testing its value. It has not failed to admit the merits of a scheme merely because that scheme may have claimed other paternity. The benefit of the prisoner, in all that makes punishment subservient to improvement being the great object of the Society and the motive of its members, the question has never been, when any plan of "alleviating the miseries of public prisons" is presented, "who is its author?" but "what may be its fruits?"

This Society, however, on examining good schemes for attaining the object of its establishment and maintenance, has had much occasion for self-gratulation in the belief that if the plan involved the means of much good to the public, the prison, and the prisoner, it has usually been the work of some of its members at home, or the result of investigation abroad, suggested by its own teachings.

Before certain queries propounded relative to a change in the laws are answered, it seems desirable to notice the operation of the system upon which those laws are to operate.

The change from the old method of conducting prisons to that which is called "the Pennsylvania System" was so great, and so much time was requisite to develop for public comprehension its beneficial effects upon the prisoner; and, it may be added, the first cost of the experiment was so considerable, in the construction of buildings, that many counties and States tried at considerable cost to patch up their buildings and plans, and make them "do for the present;" and some that did not comprehend the system, and some who did, and yet loved to oppose, adhered to their established plans, and seemed to sanction the belief that punishment has nothing to do with reform, and that the bad rule, injuriously applied to woman, is applicable to all, viz.,

"That one false step forever blasts her fame."

Prisons are rather imposing structures; their towers and battlements, and their cold, repulsive walls, meet every eye; but few, very few, think of the temporal or

eternal interests of the many who are beneath those battlements, and within those walls.

The city or county is concerned in having a handsome prison, something that will in a degree compensate for its great cost, and gratify the civic pride of the tax payer; but for the scoundrels and the impure that are incarcerated therein, there is less general sympathy, and the good old Bible rule that "the way of the transgressor is hard," is illustrated by having everything about him hard and repulsive, not so much from a want of Christian charity in the members of the community, as from an indifference to the condition of those who, being out of sight, become also out of mind. An indifference perhaps excused (not excusable) from the fact that these felons get no more than they deserve in the way of punishment as *felons*—hence some neglect the claims of humanity, for their *improvement as men*.

We are apt to charge upon the Legislature of the State a great neglect of the interests involved in our public prisons. And perhaps less has been done than the friends of humanity acting in that direction could desire; but, considering the immense amount of legislation that the "General Assembly" of our State has to perform for objects pressing, important and useful, for those who are present and urge their own case, and make themselves felt and their cause understood, it can scarcely be wondered at that some interests of public prisons should be neglected where neither affection nor immediate interest urges action, and where sometimes a love of the ease of old establishment is antagonistic to the willing

and earnest self-sacrificing effort of those who advocate improvement for the sake of improvement.

It may be regarded as a most gratifying proof of the constant disposition of the Legislature to aid in the work of alleviating the miseries of public prisons, that recently a law was passed creating a "Board of Public Charities," by which benefit should result to the charitable and penal institutions in the State; Commissioners have been created to look into the operation of various systems of prison discipline as they are carried out in this State and in other States; and these measures, it is believed, are due to the suggestions and efforts of this Society.

Now also a commission has been appointed for the revision of the civil code of Pennsylvania. Another step in the path of improvement. Not only because men of strong and well-stored legal minds will be called into active service to modify and improve the existing laws of the State, but because—especially because—men of enlarged views of human rights and of social science have their minds drawn to the subject by the action of the Legislature in authorizing the commission, and hence an awakened sympathy in the new movement. The wish to do the good has perhaps long existed, but the moment an opportunity and the means are presented a new interest is excited, and the whole powers of the mind are directed to the subject, and are ready to investigate or to suggest means for so desirable an end.

The queries which have been propounded in your letter now before me, show the interest which you feel in the subject, and I will consider them somewhat in the order in which they are presented, taking the liberty



however to state that the earlier inquiries should be as to the general system of treating prisoners, which must involve the subject of prison construction. Prison discipline depends for efficacy, much on prison construction.

As I consider that separate confinement can alone produce all the good of which prison discipline is capable, so I think any legislation which contemplates the greatest good of the unhappy inmates of our prisons must essentially fail of its object if it allows of intercourse among prisoners. I will not say that "social confinement," that is, the permission of prisoners to congregate in their labors—or to be confined two or three in one cell, will produce no good. Experience shows that careful watchfulness over the manners as well as over the persons of prisoners thus associated, has not been without some good fruit. The good administration of even a vicious system can scarcely fail of some benefit, especially when so much of success depends on good administration and personal devotion. But as a general rule the experience of prisons shows that the association of two or more felons results in nothing but an augmentation of their felonious intentions, and an improvement in the theory and practice of their felonious plans of operation. And hence I consider that the congregate system (that is, any system of allowing two or more convicts to occupy one cell), almost certainly leads to a further depravity of the morals of the associates, and that almost the only hope of alleviating the miseries of public prisons by the improvement of the

prisoners, must rest upon separate confinement, and hence of a separate dealing with each.

If any one should ask for one of the evidences of the superiority of the separate system over that called congregate, it may be found in a fact recently set forth in some statements touching affairs in the Philadelphia County Prison.

Four years ago there were in the female department of that prison about eighty-three (83) female convicts, and these were placed in about half that number of cells, the other cells being crowded with untried prisoners and vagrants, drunkards, &c. But the cells that were specially devoted to female convicts were crowded, often more than two in one cell. An opportunity presented itself for increasing the number of convict cells for females, by placing the old "Debtors' Apartment" at the disposal of the keeper of the female convicts, and the Councils of the city were liberal in their appropriation, and there were added to the means of detaining the female convicts forty-two (42) cells. This addition led to the entire separate confinement of the female convicts, and to a separate dealing with them by the moral instructors. And a result of these measures was a reduction in two years and a half, of the number of this class of prisoners from 83 (at some times the number was as low as 62) down to *thirty* (30). And with a little more means and a little more attention on the part of the Visitors, it is believed that the number could be still further (but not greatly) diminished.

This is one effect of having the convicts kept separate (not solitary), and though this instance is derived from

the female department alone, yet there is every reason to believe that the same fulfillment of the law of the State with regard to "separate confinement," and the same fulfillment of the law of God with regard to scholastic, moral and religious instruction, would be productive of similar, if not equal, benefits to male convicts.

This leads me to remark that the adoption of the Pennsylvania system of separate confinement calls for a plan of construction of the prisons, that will admit of all permissible comforts to the prisoners, without allowing them to converse with, or to see, each other. This cost of reconstruction has led to a continuance of the congregate system in many cities and counties of our State, where there was an unwillingness to vote an expenditure for building a prison that would enable the superintendent or the inspectors to treat convicts as the law of the State and the sentence of the Court require. Some counties have built prisons to admit of the separate confinement of convicts.

It is not my object now to pursue the subject of discipline in that direction, but I would say parenthetically, that if separate confinement is due to the convicted felon, that he may not be made worse or make others worse by a bad companionship, then *a fortiori*, separate confinement is the righteous claim of the untried prisoner, who is to be regarded as innocent till the Court pronounces him guilty. That is a point of such importance that it deserves separate consideration. In some county prisons the convicted felon has his separate cell and its advantages, while the young man certainly innocent in law till he is proved guilty, may be arrested

on bare suspicion, and thrust into a cell with accomplished knaves, teachers of crime, or low, dirty vagabonds, breeders of mischief and vermin.

I quote at length the following pregnant query which your letter contains :

“Ought not the Governor or some other officer to have a general power to mitigate the rigor of prison discipline, in cases of good behavior, and to propose as reward for such behavior, an abridgment of the terms of service according to some established rule?”

This question takes hold on the great idea of prison discipline that is occupying the mind of Europe at the present moment, and which has called forth legislation in at least fifteen States of this Union. And at one time there was a law in Pennsylvania allowing the Superintendent of Prisons and the Warden of the Penitentiary to discharge the convict before the termination of the Court's sentence. The time thus deducted from his sentence was to be regulated by the conduct of the prisoner. Some want of care in drawing up the bill exposed it to opposition, and, on account of what was regarded as “*ex post facto*” in its operation, it was pronounced unconstitutional.

The idea is not new, philanthropists have proposed it in various countries of Europe. Some as early as 1847. And the experiment is now under trial in Ireland and in several prisons in England.

The idea which you present is known in this country as “the Commutation System.” The system supposes the convict to be sentenced to a certain number of years, or months (let us say years), and his good conduct care-

fully noted, will, if continued for a certain time, say ten months, entitle him to the credit of one full year of his term. And the second year, beginning really at the termination of the well spent ten months, is still further shortened by a continuance of good conduct of all kinds. So that the two year sentence will be fulfilled in nineteen months—and as in Ireland the sentences are usually much severer than in this country, the deduction or commutation earned by the prisoner whose sentence is for ten or fifteen years, is very considerable. Of course misconduct is charged, and the convict is entitled only to the balance that may be in his favor.

There can be no doubt that the commutation system is one of immense value in the science of prison discipline; and where it has been tried it has been found of great benefit.

But I have elsewhere hinted, and I here emphatically note, that the benefit of any system results from its administration, and this system is more dependent upon its administration than any other. The convict is to be closely watched, and his conduct is to be righteously judged. How few of the prisons of this country are officered by men competent to do more than to detain the convict, supply him with work, teach him how it should be done, supply him with food, and punish gross violation of prison rule!! The Commutation System asks that the keeper be of a kind to inspire respect for his person, and especially for his judgment; and as months, and perhaps years of the convict's incarceration may depend upon the report of a common keeper, how likely is that convict to impeach the motives of his keeper should

his reports be adverse? How liable that keeper to color reports by his feelings towards the convict? Every man concerned in the administration of the prison must feel anxious for the success of the system. And I do not doubt that all the keepers and assistants can be brought to a full co-operation with the principal, and that the labors of philanthropic individuals concerned in the "alleviation of the miseries of public prisons," would be voluntarily given to the good work. Of the importance of volunteer assistance I shall speak in a future paragraph of this letter. From several causes this "Commutation System" is known in Ireland as the "Mark System." With some other characteristics it is called in England and even in parts of the United States, "the Irish System."

But in any plans for the improvement of the prisons of the State care should be taken to distinguish between the *part* known as "the Mark System," and the *whole* called "the Irish System."

The Irish System commences with separate confinement (with some rigors that do nothing toward improvement) and to that separate treatment it owes all its success that is not due to careful administration. But in the progress of dealing with the convict, the Irish System permits of the association of felons, so that what separate confinement has so well begun, is quite undone by the evil association; though, perhaps, the conduct of the convict while in prison is a continuance of the seeming propriety that was commenced in the first stage of separation from all other convicts.

The term "Mark System" comes from the marks,

good or bad, which his conduct earns, and by which his claims to a shortened period are established, or his liability to full service may be made known.

While this Society has earnestly approved of the system of commutation, and thus has been an advocate of the "Mark System," it has borne testimony to the evil effects upon the after life of the convict who has by good conduct in separate confinement earned a right, under the Irish System, to greater or less association with other convicts. On this subject your attention is drawn to the Report of the Society for 1866-7 and 8, and especially to the proceedings of the Annual Meeting of the Society, as given in the Journal of the Society for the past year.

I can scarcely express with too much earnestness the importance of what you denominate "the power to mitigate the rigor of prison discipline, and to propose rewards, &c." The Commutation System will, if carefully and judiciously prepared, and rigorously and conscientiously administered, meet the wants of prisons in that direction. Yet so much must depend upon administration, that it is not safe to declare that the community will at once derive from any legislation on that point, all the benefits desired, or that it will, in every prison, derive any benefit from the first experiment—for the experiment must be tried.

Your views of the importance of larger provisions for discharged convicts are eminently correct. They need pecuniary aid, they need advice, and they need protection and patronage. Our Society has given much attention to this subject. But its plans and efforts have been

limited to its own sphere of action, and the results of its labors have been gratifying though necessarily limited.

Your inquiries, of course, have in view provisions by the State or county, and the law permits some pecuniary aid to discharged convicts. Much more might be granted with great benefit to the cause of true philanthropy, provided that the sums appropriated were judiciously expended. There is one danger in the plan of public or State appropriations for deserving convicts, viz., that in a little time the distribution will become general, and every convict will claim to be a recipient of the public bounty, and by degrees the claim will come to be allowed. Those who have had much experience in prison management, know how prone are the administrators to pass from a special discriminating exercise of favors or rewards to a general bestowal of the means with which they are intrusted. Yet with the Mark System (the Commutation System) this form of help would be more easily introduced and more discriminately practiced.

The great charity of providing for discharged prisoners ought to be considered in any law that is enacted for the government and improvement of those persons while they are prisoners.

In France there exist several societies whose object is to receive the prisoner as he leaves the jail and provide, as far as possible, some employment; some means at least for his immediate support, so that there shall not be pleaded as excuse for renewed crime, inability to procure the necessaries of life by honest effort. We must, moreover, distinguish between the circumstances and



habits of the people of the old world and those of our own country.

Private or associate efforts in behalf of the discharged convict have been found the most effective in this country; perhaps that is partly owing to the lamentable fact that there has been little provision for assistance of that kind.

The Committee of this Society find great demand for their means and their watchful care at the Eastern Penitentiary, and a considerable sum is appropriated by the Society, and from bequests for that purpose, to the very ends which you suggest. At the County Prison, while a similar Committee discharge the same duties, the work is generally more effectually done by William J. Mullen, the Agent of the Society, acting with the advice of some members of the Committee.

More money, more advice when leaving, more watchfulness for the discharged convict when at a distance, would enable the Committee and the Agent to extend the benefits of their mission. As it is, they do much good, as is evident in the letters received from the recipients of their kindness, and much remains to be done. And whenever the State shall undertake with earnestness to reform as well as punish prisoners, more liberal legislation will be had in favor of the discharged convict.

It may be said that all the instruction, moral and religious, which the convict receives in prison, is often rendered unavailable for good by his inability, when he leaves the prison, to find employment in the vicinity, or to obtain means to go to some distant place where labor, such as he can perform, is in demand. To remedy

this evil the Societies in France labor incessantly with enlarged views and extended field of action, and the statement of their success is gratifying.

Our Society has not matured any plan of action in regard to discharged prisoners beyond what it has practised through its Committees. If the State should provide for such aid to, or temporary guardianship of, that class of persons, only an extension of the efforts made by our Society upon the plan now in operation would be necessary.

You ask,

“Would it not be well that every convict sent to the State Penitentiary should be taught to read and write, and to keep accounts, when destitute of education, and ought not this to be a subject of special attention, and placed under the care of paid instructors provided by the State.”

If instruction to the uneducated would benefit the inmates of the State Penitentiary, and demands on that account legal provisions and paid teachers, it can scarcely be supposed that the large and crowded County Prisons in this Commonwealth have a less claim upon public legislation for such provisions.

Instruction is due to all uneducated convicts, and has, as I know, been imparted in the County Prison to the vast benefit of the recipients, and in the very branches to which you refer.

On this subject I will make one remark, founded on my own observations, viz. Those convicts who have entered prison with abilities to read and write, and with more or less of education in other branches, rarely calcu-

late upon any benefit from those attainments when they shall be discharged. They seem to set little value on education. While those prisoners who enter the convict's cell with no education and are taught to read and write, and cipher, seem proud of the attainments, and almost invariably turn them to good use when they leave the prison.

Provisions therefore for educating the convict should be a part of any enactment that may be made for the improvement of prison discipline.

With regard to the appointment of women to instruct female convicts there can be no objection, rather it would seem to be eminently appropriate. It might not be so well to place a female instructor in a cell with a male convict who is undergoing "separate confinement." These are matters to be arranged in the administration of the prison laws. Of the influence, for good, of females over prisoners, where there are ability and desires to do good, there can be no doubt. I have witnessed the effect with admiration.

I cannot doubt of the good effects of Courts of Conciliation, such as exist in France. They would save much expense, much enmity, much time. They are, perhaps, rather the results of a later period than our own age in this country. In matters of that kind it is sometimes better to endure an existing evil than to risk the character and benefits of a remedial institution by a too early establishment thereof.

To us that look on, Courts of Conciliation are regarded with favor for the evils they would prevent and the good they would do, while those who are in the contest

of busines, large or small, are prevented by the very contests from appreciating and desiring the best remedy for their troubles.

I have noticed at considerable length each subject to which you have invited my attention ; and I have occupied space enough, it would seem, to discuss at large the subject of "Social Science," at least that part of it which is included in the idea of prison discipline. But I have given much time to a consideration of the duties of society to its unfortunate and its offending members ; and I have devoted more than nine years almost exclusively to a direct inspection of prison management, and to experiments upon the effect of different systems. I have seen what punishment could do towards the accomplishment of public vengeance ; and I have watched and waited for the results of prudent kindness, as a means of making punishment subservient to the end of improvement. I had a theory to test when I commenced the work of inspection. I believed that separate confinement was cruel, and its results injurious to the prisoner ; and I thought I should be able by experience to strengthen my own belief, and illustrate its truth to others. I failed. From the prisoner for the smallest offence to the felon homicide, I discovered that the culprit was to derive his means of moral improvement from an absence of all offenders like himself, so that he might profit by the lessons of good, which friendly visitors should impart, and have time and motive to form resolutions of solid amendment.

In weighing arguments for and against the Pennsylvania System, care should be taken to keep constantly

in mind that "separate confinement" is not "solitary confinement," and that all the "*ad captandum*" objections to solitary confinement fail of any application to the Pennsylvania System of separate confinement.

I have never seen much of solitary confinement, but I can well imagine that it might be made injurious to the convict. I have seen much of separate confinement, and have watched the effect of its influences (with daily instruction) from the hour of commitment to the day of discharge, and my opinion is as expressed elsewhere in this letter, that in separate confinement alone can the moral instructor hope to reach the heart, and influence the future conduct of the prisoner. Good conduct may be enforced, perhaps, in almost any kind of prison system. The worst and most unrepentant rogues often find it to be to their interest to obey rules; but it is their present interest not their future conduct that is consulted, and the reward for good conduct is often obtained by one who deserved all the punishment he received, and is resolved to deserve as much more.

The spirit of inquiry now pervading the community relative to all matters connected with the administration of criminal law must, before long, lead to some general plan of conducting the penal establishments of our State, for which, of course, a modification of the laws is necessary.

The establishment of a "Board of Commissioners of Public Charities" is an important step towards a proper organization of our prison system. But has it ever occurred to you that there is something auspiciously ominous in the name of "public charities," as applied

to the penitentiaries and prisons of our State? Does it not intimate that a spirit of true philanthropy is to pervade all legislation and administration with regard to penal institutions, and that "charity" is to be consulted rather than vengeance in dealing with the violators of the law?

I thank God that in your queries I find nothing about making money out of the labor of convicts, not even the idea of "selfsupporting" prisons. There is a question of social economy involved in prison labor which I do not mean to touch; but there is also a question of humanity as to the amount of improvement in the prisoner that is to be sacrificed for the profits of his labor that every Christian philanthropist must understand.

Permit me here to remark that he who would modify the laws of the State to improve the discipline of our Penitentiaries, should make himself acquainted with the operation of the existing systems; should confer with those who profess by experience to understand the subject, and especially should he confer with those who, having no interest, or salaries, or contracts, familiarize themselves with the working of systems, and who know what are the means of making punishment available to improvement.

The subject of primary justice in the cities, however, should be carefully and most understandingly dealt with. The amount of wrong inflicted by incompetent magistrates, acting upon a bad principle, seems almost incalculable. The roots of this evil are in the system. These matters and others connected with them, will,

of course, be considered by any Commission that means to produce the greatest good of the greatest number.

J. R. C.

## COMMUTATION.

Near the close, perhaps at the very close, of the labors of the Legislature of the State, in May last, a law was enacted of which the following is the text :

*Be it enacted, &c.* That all prisoners who have been or who shall hereafter be convicted of any offence against the law of the State of Pennsylvania, and confined in any State prison or penitentiary in execution of the judgment or sentence upon such conviction, who so conduct themselves that no charge for misconduct shall be sustained against them, shall, if the Governor shall so direct, have a deduction of one month on each of the first two years, of two months on each succeeding year to the fifth year, and of three months on each following year to the tenth year, and five months on each remaining year of the term of their sentence, and shall be entitled to their discharge so much the sooner upon the certificate of the warden or principal keeper of such prison or penitentiary, with the approval of the Board of Inspectors of the same.

Some of those who desire to see the convict encouraged to good conduct by the hope of reward, thought they discovered in the wording of the above cited law an inclusion of "County Prisons" in the words "State Prisons," and that therefore the benefits obviously intended for the convict of the Penitentiaries, were also

available to the convict of the County prison, and a movement in that direction was by more than one person suggested.

But to us it appeared that the framers of the law had in view only the tenants of the two Penitentiaries of this State, and had adapted the language of the enactment to meet the great objection made to the acts of former years, intended to serve as authority for commuting the sentences of convicts generally, and allowing them to shorten the term of imprisonment by good conduct. That law was liable to at least two objections, that are very serious in the estimation of all, viz.: *First*. Some of the provisions were, in their operation, *ex post facto*, as they interfered with the sentence pronounced by the Court before the enactment of this law.

*Second*. That by allowing the inspectors of prisons or penitentiaries to release prisoners before the time announced by the Court, the prerogatives of the Executive were infringed—as the pardoning power is, by the Constitution of the State, vested solely in the Governor.

By the law of May last, it will be seen that the difficulties are removed. For whatever may be the good conduct of the prisoner, the whole power of the inspectors consists in recommending him to the Governor for commutation or pardon, he, the prisoner, having fulfilled certain conditions.

It may be said that the pardon by the Governor may be extended to prisoners convicted before the passage of the act, and would therefore be liable to the same objection that defeated the provisions of the previous act, viz.: making the law *ex post facto* in its operation. To



this it is replied, that by referring the release of the prisoner to the will and pleasure of the Governor, the objection becomes powerless, as the Governor had the right to pardon the same prisoner, whether recommended or not. This consideration also removes the second objection to the former law, viz. : That it gave to inspectors power that belongs by the Constitution only to the Governor, as the Governor could pardon these men if he wished, without the recommendation of the inspectors, and without the fulfilment on their part of any of the conditions upon which the commutation discharges are to be founded. If then the Governor of the State could, without the passage of this law, do all which he is permitted to do by its provisions, if no new powers are conferred on the Executive and none could be taken away, it may be asked of what use is the law ?

This question we shall answer hereafter.

In the meantime the question has been raised whether the law does not include in its provisions the County Prisons, where there are crowds of convicts who are as much entitled to any benefits which this act may confer as are the tenants of the two Penitentiaries. To that question we have already partly replied that the language of the act, viz. : "State prisons or penitentiaries" indicate that only the penitentiaries of the State were in the minds of the authors of the bill, and we learn that his Excellency the Governor of the Commonwealth takes the same view of the act, and will not for the present attend to the recommendation of inspectors of county prisons, for commutation of sentences founded on this act. He considers, and justly, that the words

"State prisons and penitentiaries" have no relation to County prisons.

Some years since the United States acting on the suggestion of this Society, and influenced by the success in the States, passed a commutation act by which prisoners sentenced by the United States courts could "work off" a part of their sentence, and by good conduct replace themselves in society, to earn an honest living if they desired to do so.

The law of Pennsylvania as has been stated applies only to the penitentiaries, and acting under its provisions the Inspectors of the Eastern Penitentiary made an examination of the sentence-book, and found eighty prisoners entitled to the benefit of this, of whom four were United States prisoners. These were all discharged under the provisions of the acts. The Governor of the State consenting to the discharge of those released under the State law.

Of course the discharges were not all made on one day, though the first application of this law reaches the high number of 38.

We subjoin tabular statements of the condition and sentences of the prisoners, the time saved, and the amount of over work paid for.

	WHITE.		COLORED.		TOTAL.
	MALE.	FEMALE.	MALE.	FEMALE.	
July 15th, 1869,	4	0	0	0	4
July 22d, "	34	1	3	0	38
Aug. 10th, "	18	0	3	0	21
Sept. 9th, "	14	1	2	0	17
	<hr/> 70	<hr/> 2	<hr/> 8	<hr/> 0	<hr/> 80

The *four* persons discharged on the 15th July were United States prisoners. The aggregate of their sentences was 12 years. By the law of the United States the good conduct of those prisoners reduced their confinement to 11 years, 6 months, and 2 days, making a saving of 7 months and 28 days.

The other commutations were under the act of Assembly of Pennsylvania, and they were as follows :

The thirty-eight prisoners discharged on the 22d July had an aggregate of sentence of 186 years and 9 months, and they served 169 years, 3 months, and 28 days, making a saving of 17 years, 5 months, and 2 days.

The twenty-one discharged on the 10th of August had an aggregate of sentence of 29 years and 10 months, and they served 26 years, 11 months, and 2 days, making a saving of 2 years, 10 months, and 28 days.

The seventeen discharged on the 9th of September had an aggregate of 43 years, 3 months and 7 days, and they served 37 years, 3 months and 10 days, making a saving of 5 years, 11 months, and 27 days.

#### TOTALS.

The whole time of the sentences served and saved by these eighty discharges was :

SENTENCE.			SERVED.			TIME SAVED.		
YEARS.	MOS.	DAYS.	YEARS.	MOS.	DAYS.	YEARS.	MOS.	DAYS.
259	10	7	233	6	10	26	3	2

## INDIVIDUAL SENTENCES.

Of those thus sentenced and thus discharged there were :

27	sentenced	for less than 2 years.
24	"	for 2 to 4 years.
20	"	for 4 to 6 years.
4	"	for 6 to 8 years.
5	"	for 10 years and upwards.
<hr/>		
80		

## OVERWORK.

Of the 80 commutation prisoners 44 made overwork to the amount of fourteen hundred and eighteen dollars and forty-six cents (\$1,418 46), an average of \$32 23.

One of the discharged men received \$270 06, for 5 years, 7 months, and 8 days shoemaking.

One received \$201 12, for 3 years, 6 months, and 1 day cane work.

One received \$133 15, for 2 years, 5 months, and 13 days cane work.

It will be seen by the above reference to "overwork" that prisoners may not only by the new "commutation laws" free themselves from a considerable portion of the sentence which the court inflicts, but they may also provide themselves with means to make a new beginning in life, and much valuable experience, itself, if properly used, of incalculable worth.

Since these statements were made there have been many more discharged, but our exhibition shows the operation of the system.

Undoubtedly the Inspectors of the Eastern Penitentiary were well informed by the Warden of the conduct

of these convicts—those recommended to the Governor, and by him allowed the benefit of the new act, so that it seems that about 25 years of imprisonment have been taken off the aggregate of the terms of these commuted convicts. The hope of achieving the same benefits for themselves, will, it is likely, operate upon the conduct of others, and thus the prisoners will be allowed to open the prison door for their departure by their own good conduct, as they were allowed to open the same door and enter by their bad conduct. This seems to be one illustration of the idea of a “free country.” The bad have a freedom to work their way into the penitentiaries by pleading bad conduct, and having improved their morals, and exhibited proof of their will and abilities to do better, they are free to work their way out of the penitentiary.

In our opinion the good proposed by this law was, if desired, obtainable without the law. But undoubtedly a great good has been accomplished and men provided for, by the suggestion of this “recommendation for special pardon,” as all released from the Penitentiary under this law could have been pardoned under the old laws—but it is evident that very few who have had a commutation, or shortening of sentence by the suggestion of this act, would have been pardoned had not the act been passed.

We expect that the subject of prisons will occupy some considerable portion of the time of the next Legislature, and we believe that the Governor will present the matter of Commutation, with special reference to the county prisons, as, however applicable the present act

may be to this class of jails, it is believed that some improvement could be made in its provisions.

For example, the prisoners in the Penitentiaries are usually regarded as more heinous offenders than those of the county prisons, and hence the term of imprisonment is usually much larger, sometimes for the same offence—only that in the case of the convict sentenced to the Penitentiary, there is usually the aggravation of crime resulting from a repetition of the offence. Hence, perhaps, will be found a motive for extending the time which a prisoner in the county jail may redeem from his sentence by good conduct. By the new commutation act, now adjudged by the Governor to apply only to convicts in the State prison, the class of prisoners who are confined in the Penitentiaries may, by earning a good report, reduce the first year to eleven months; third, fourth and fifth year to ten months each, and the sixth, seventh, eighth, ninth and tenth years to nine months each, and the remainder of their term to eight months for each year. This is well, though in Scotland we notice that the time that may be gained is equal to one-third of the sentence.

Now as the sentence to the county prison seldom exceeds two years, and very rarely goes beyond three years, it has appeared to us that one month for the first year, two for the second, and three for the third years would be suitable, and perhaps something of that kind will be provided for in the bills which are likely to be reported to the next Legislature

We have spoken, above, of the usual difference of time between the sentences for the Penitentiary and those for

the County Prison. It may be proper here to remark that there are exceptions, and one particularly noticeable was lately found in the County Prison, where there were two men undergoing a sentence of twelve years each for burglary.\* This is rare, but as it exists and may again occur, of course provisions should be made for such cases.

We confidently expect that the Legislature will initiate and perfect "bills" relative to prisons and penitentiaries, and their discipline, that will ensure a great amelioration of the condition of prisoners. The plan of Commutation is one which has for a long time received the approval of this Society, and it cannot be doubted that, as it has commenced, though only with penitentiaries, it will be improved and applied to all the prisons of the State.

On every side we hear approval of this system of Commutation, this great plan of letting all prisoners work themselves out of the jail and penitentiary. Of course we may expect some difficulty in the early administration of any laws authorizing commutation. These difficulties will be overcome where there is a will. The authority to commute is the great matter. The administration of that law is what must be looked to—a loving devotion to its permissions, and to the best interests of society and the improvement of the prisoner will ensure the benefits proposed, and without that no law will be worth approval.

---

\* These two men were pardoned in December, 1869.

## THINGS MUCH NEEDED.

So much has been said as to the necessity of a House of Correction, that it is not with any hope of adding much to the determination of the city authorities to erect such a building that the matter is here referred to. We know that there is such a want of a place of the kind that the City Councils feel called upon to supply that want; and when there can be an agreement as to the location, we do not doubt that the work will be commenced and carried forward.

But we wish to state distinctly that the erection of a House of Correction in Philadelphia is not the one work of greatest necessity. There is another want that appeals to the friends of humanity, and the respecter of the laws of the State. We allude to the absolute necessity of enlarging that part of the County Prison which is used for males.

The law assigns to every convict a separate cell; and in the County Prison almost every cell for male convicts has two or three prisoners. And perhaps it is even worse on the untried side, where there is a crowding together of men charged with crime and awaiting their trial. There is an absolute necessity for enlarging those portions of the County Prison which are used exclusively for men.

The erection of a House of Correction, if it took from the prison every man that by law could be sent to the House of Correction, would leave more than two to every cell. The law is plain and distinct upon this



point of separate confinement. And Grand Juries, for a few years past, have presented the crowded state of the male department of the County Prison as an evil that demanded abatement. But the City Councils have not been moved to the discharge of the duties which that circumstance devolves upon them, and which the presentment of these Grand Juries would almost authorize some other authorities to discharge at the expense of the city. In another article in this number of the Journal there is a statement of what has been the effect of separate confinement in the Female Department of the County Prison, where in two years the number of convicts has been reduced fifty per cent., and the number of all kinds of commitments at almost the same rate. And the number of cases of sickness or ailments of all kinds have been lessened by two thousand one hundred.

The law, and humanity, and success are all in favor of enlarging the Male Department of the prison. Surely an evil of such a character and so easily provided against, cannot remain much longer uncorrected. It would almost seem as if the courts had power to interfere in this matter.

There is another desideratum deserving to be noticed. The history of criminal justice in this city shows within a few months, cases of a kind that should arrest the attention of the public. There are means in the Penitentiary and the County Prison for the punishment of adult criminals, if not exactly according to law, yet according to the circumstances of the times. And what amendments are required in the circumstance of those penal abodes are suggested at once by the law. But

there is a class of offenders that seem to lack a place for penal improvement, or confinement, if improvement should be found unattainable.

When boys have been found mischievous and disobedient at home, or in the neighborhood, and special acts of unlawfulness suggest their arraignment before the administrator of justice, the House of Refuge has been usually selected for their place of confinement, and for that process of correction which is to work in them the spirit of improvement, and work out of them the evidences of practical amendment. But the Managers of the House of Refuge have a right by law to exercise their judgment as to the propriety of receiving into their "Refuge" any one whose conduct has been so bad, so persistently villainous as to lead them to fear that his residence with them would work much more mischief to the other inmates of the House than it could be made productive of good to the young offender. And on the refusal of the Managers of the House of Refuge to receive the young culprit, the Court, of course, transfers him to the County Prison or Penitentiary. The case has quite recently presented itself, and two bad boys, too bad for the Refuge, were sent to the Penitentiary for some years. That certainly was preferable to a County Prison, where crowded cells are indispensable, and the frequent change of prisons render discrimination difficult.

There seems, then, to be a need of some place intermediate to the House of Refuge on one side, and the Penitentiary or County Prison on the other. At present separate buildings would be required; but if the

County Prison should be enlarged so as to meet the existing wants of the inmates, there can be little doubt that in two years there would be empty cells sufficient for the class of juveniles to whom reference has been made, and special provisions for their treatment could be made applicable to their circumstances.

It is of great importance to correct and improve the erring youth that have before them the probabilities of a long life, that may by care be made beneficial to the public and themselves, but which by neglect may become a disgrace to themselves and a burden to the public.

---

## THINGS THAT CALL FOR IMPROVEMENT.

The Society that makes it its principal business to ameliorate the condition of prisoners, has before it a task of constantly increasing difficulty, because the experience which it obtains from practice opens up new channels of labor as it suggests new auxiliary modes of assisting to promote the great object. The construction of prisons and the arrangement of their interior, the discipline and instruction of prisoners, all connect themselves with the leading views of the Society, and call for special and careful attention.

But there are other associations that, in time, become important as they are connected with the means of punishing, and the plans of improving offenders against the law.

The primary administration of justice is of vast importance. Many persons are ruined every year by the disgrace that is consequent upon uncalled for arrests, and the injury to their morals by the bad associations to which they are subjected in the cells of the prison if they are unable to obtain bail.

Those who see and converse with prisoners when the cell first receives them, know how often careful inquiry proves the truth of the assertion of entire innocence by these newly imprisoned persons. If crime is charged, then the taint of crime is on their *character* till the case is dismissed by the Alderman, or concluded in their favor at court. But thousands who hear that A. B. has been arrested on a charge of forgery, burglary, or fraud, never hear of the discharge, and know nothing of the acquittal by the Court. Some, when told by those who know, that the arrested person proves to be entirely innocent, kindly express pleasure at the acquittal, but uncharitably remark that the accused may be innocent, but usually there is some fire where there is so much smoke.

Against this most cruel habit of binding over without cause, and connecting the name of innocent persons with a gross misdemeanor, all good persons ought to protest, and those who are connected with public legislation ought to provide.

The plan of the primary proceedings is altogether wrong. If it be not now possible or convenient to change the tenure of officers, or to transfer their appointment from the ballot-box to the Executive, at least some provisions could be made for their compensation

without sending them to the nearly empty pockets of the poor who seek justice, or the gratification of unkind feelings, at their hands. We repeat here the idea which we have more than once advanced, viz., that while we reflect upon the primary administration of justice in this State, especially in the cities, we feel that the evil is less in the officer than in the system. Men are elected to the office of Alderman who look to their earnings to sustain themselves and families; and the fees of the most successful Magistrate in the city will do little more than that. How, then, can it be expected that men with the lawful means before them of gaining fees should neglect the only means of livelihood which their office affords? If people will come with silly complaints or frivolous charges, for swearing to which they are most ready and willing to pay, it can scarcely be supposed that their wishes will not be gratified. Perhaps there is nothing in all this, either in suitor or Magistrate, worse than is going forward in the business world elsewhere, where trade leaves its channel to dabble in the sweeping Maelstrom of speculation; and misery and want, disgrace, and all but punishment follow the departure from the normal course.

While we speak, as we have done, of what is called the evils of the primary judiciary, and the wrong which those evils inflict upon the poor, and often upon the good, we are by no means to be considered as including all the magistrates in what is deemed the misdoing. We are in a situation to judge of these matters, and we know that there are aldermen in this city who willingly co-operate with the officials and agents of this Society in

alleviating the miseries of those persons whom these aldermen have sent to prison. They discharge a duty imposed by law in incarcerating the accused. They discharge another duty, imposed by humanity and religion, in releasing the prisoner from confinement. Of course there are errors, and perhaps, sometimes, cruelty—but even these errors and that cruelty would be greatly abated, if not entirely removed, by a change in the mode of appointing and compensating the aldermen, even if the same men should be placed in the same offices.

But another evil calls for correction, viz.: the very indefiniteness of certain terms that apply to violations of ordinances and laws.

For example, the law of this Commonwealth annexes to the *crime* of drunkenness the penalty—a fine or twenty-four hours' confinement. And disorderly conduct and vagrancy may have thirty days penalty, or the penalty may be remitted by the Inspectors of the Prison. Drukenness, then (if it pay no fine), is punished with twenty-four hours. Now as the drunkard rarely has the means of paying his fine, or if he could raise it, he perhaps would consider it economical, to save in prison twice as much as he could earn out of it. So he is sent down. And the disorderly person is also sent down to the prison (we say sent *down*—for, thank God, whatever may be its location it is going down to go to a prison), but not as a drunkard, or disorderly person—but a “peace breaker.” This perhaps procures to the committing magistrate some money, or the friends of the prisoner may raise a little, to pay the fine and pro-

cure the release—but all this is contrary to the spirit of the law and to good order. Perhaps the Court could remedy this in part, by a definition of offences and a proper discrimination. We have no intention here of censuring the magistrates. If they were paid a fair salary, as are the judges of the County Court, they would be removed from the necessity, at least the temptation of doing what seems oppressive but not unlawful. What would be said of the judges of our courts if their compensation depended upon fees, and the costs and fines of litigants. We need not say how dangerous would be such a mode of maintaining the courts. We do not suppose that there would be any *just cause* for complaint with existing judges, we know them too well, but there would be *complaints*. There would, moreover, be attempts to divert the course of justice. Let us thank God for what is left of the independence of the judiciary, and pray that “good conduct” tenures be restored, and a liberal, gentlemanly salary provided for those who now spend day and night in studying and trying to administer law and justice, and yet may be driven from their place of labor, to want, by a breath of party displeasure.

Those who would alleviate the miseries of prisons or assist individuals and societies engaged in that good work, must consider the importance of a judiciary independent of political influences, and place the judges above the “*res angustæ domi*” by a fair salary. But most of all, the miserable dependence of the magistracy upon the pitiful “costs” of more pitiful cases brought before them, is to be and ought at once to be removed.

## CRIMINAL LUNATICS.

This Society has never failed, on proper occasions, to seek to ameliorate the condition of "criminal lunatics." And the State has sought to meet the wants of that class of sufferers by the erection of a State asylum, and the enactment of laws that may make the institution available to the good purpose of its establishment. All has not been done that the case requires, and many poor, insane persons remain in prison cells, exposed to the constant irritation of a partial sense of their condition, and no recollection of the cause of their confinement. One or two new buildings are required.

In Great Britain the subject has occupied much attention, and considerable legislation has been found necessary to meet the exigencies of the case. In 1867 a Criminal Lunatic Act was passed, authorizing a merciful disposal of criminals (who *were* lunatics), and whose sentence expired before there is proof of restored sanity. But doubts were entertained whether such an act extends to criminal lunatics whose terms of punishment have expired previous to the passing of that act, and for the removal of these doubts an act is passed allowing the act of 1861 to be retroactive, and operative in the case of prisoners whose time had expired before the passage of that act.

Among the arguments against the Commutation Law of the State of Pennsylvania some few years since, one was that it must be inoperative, because it was *ex post facto* in its application, that is, it interfered with the



sentences of courts passed before the enactment of the law, and was therefore held to be unconstitutional in this State. Such an argument would not be of the same weight in England. Here a written constitution limits a legislature. In England Parliament is omnipotent, and can with one enactment supply the deficiencies or correct the error of another. Legislatures sometimes need restraints as well as inducements, and even in doing good it seems best to make haste slowly.

---

## NECROLOGY.

We scarcely hoped that a year would pass without the necessity of stating the death of one or more of the active members of this Society, especially as some of them are now well advanced in years. But we scarcely thought that one among the youngest as well as of the most efficient of our laboring members would have been called away, while so many his seniors in years are left to mourn the disappointment of the hopes of the future usefulness of their co-laborer. The Society has to lament its great loss in the death of

PHILIP PHYSIC RANDOLPH, ESQ.

The following are the proceedings of the Society in reference to the painful event:

At a stated meeting of the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons, held fifth month 20th, 1869,

The President announced the death of our late fellow-member, Philip Physic Randolph, in the following communication to the Society :

MY FRIENDS—

Since we last met death has been in our midst. It has pleased the Almighty Disposer of all things to take from us a beloved and valued associate. Philip Physic Randolph has ceased from his labors. He died, after a brief illness, on the morning of the 4th instant, at his residence, South Fourth Street. Possessing an ample fortune, and high social position, enjoying the respect of his fellow-citizens, and surrounded by numerous and attached relatives and friends, life possessed many attractions for him. But the pleasures of the world never seduced him from the line of duty. His chief delight was in relieving the distressed and in comforting the afflicted.

You have had a full opportunity of witnessing the earnest zeal with which he sought the cell of the prisoner, the punctuality with which he attended the meetings of the Society, of this and other Committees of which he was a member. You know how we were drawn to him by the gentleness of his manners, and the modesty of his deportment. How he commanded our respect by the rectitude of his conduct, and our love by the purity of his life. Although we shall no longer be cheered by his presence, or instructed by his counsel, we shall have his example to encourage the lukewarm to be ardent, and the indolent to be active, and all of us not to be weary in well doing, and thus imitate our

departed friend, whose whole life beautifully illustrated the character of a Christian gentleman.

Joseph R. Chandler, one of the Vice-Presidents, then offered the following :

“Owing to its protracted existence, the ‘Society for Alleviating the Miseries of Public Prisons’ has had large experience in human vicissitudes, and has been called to rejoice in its own success, by the well directed efforts of its active members, and to lament the occasional failure or delay with which adverse circumstances have disturbed its plans or postponed their success. The aged and the good, who have contributed to the success and honor of the Society, have, from time to time, ‘ceased from their labors,’ and their loss has been deplored by their surviving companions, and their names and their services embalmed in the mournful memorials of the Society. All societies must suffer the loss of their old members, even though those *old* be the *best*; and the living have the knowledge of their virtues to stimulate to profitable imitation, and thus, perhaps, what the Society loses on the death of one or two of its aged, active members, may be compensated in the newly stimulated and well-directed zeal of the emulous survivors.

But when the young and the good die, whose practical philanthropy seems to dedicate them to the special service of the Society, and whose efforts illustrate their present power, and give promise of future capabilities to carry forward and improve and put into enlarged practice the views of their associates; when such die, in the midst of present and the full development of future

augmented usefulness, the surviving members for a moment yield to the force of the infliction, and ask whence is to be supplied the vacuum which such a death must cause.

This Society, since its last meeting, has been called to submit to the loss of PHILIP PHYSIC RANDOLPH, Esq., a member of our "Acting Committee," a gentleman whose self-sacrificing zeal in the cause of humanity, seems to have been excelled only by his extraordinary modesty.

The attention of this body is invited to a recollection of the quiet, unobtrusive member, who, in any debate, respectfully awaited the expression of opinion from all his seniors, and seemed by protracted silence, to invite his juniors to a free utterance of their views, and even then reluctantly to propose his own well digested ideas, and then to win the approval and concurrence of his auditors.

But if Mr. Randolph was slow to offer objections, and modest and deferential in sustaining cherished views, he was prompt, earnest, and effective in his efforts to carry out what had received the express sanction of his colleagues. He was ever ready to undertake labors, and incur and meet expense in efforts to present the views of this Society in parts where a knowledge of its benevolent plans did not exist, and to explain them to men who had misconceived their character.

Mr. Randolph beautifully illustrated the spirit of this Society, and assisted to give efficacy and extent to its labors, by visits of investigation, which he voluntarily undertook to almost every prison in the State. He was

determined to understand the evils which he would correct, and make the zeal of his collaborators correspond with knowledge. To those missions, in a great measure, is due the ability of this Society to awaken the Legislature of the State to its duties with regard to public prisons. And the modest presentation of those great labors seem, by its author, as if intended to conceal the extraordinary difficulties of the work, and to present only the valuable results.

Perhaps few members of this Society possessed in a more eminent degree, the true spirit of Christian philanthropy than did Mr. Randolph. With him system seemed to be subordinate to object; and each case of suffering appealed to his heart with such a speciality of claim, that all others were for a moment forgotten; and success, the result of his self-sacrificing labor, was never offered as an excuse for rest when a new object pleaded for consideration, or a familiar object pleaded for new assistance. Nor was the character or claim of any one allowed to become a precedent to hinder exertion, or withhold contribution in another's behalf.

He loved, respected, and sustained the great scope of this Society, and understood and regarded its organic rules; but in carrying out those great intentions he became a law to himself. His own observation, his own experience in the past, and his own discernment of the future, made him a *discretionary* agent of this Society—filled with a *discretion* that made his efforts effective for the immediate benefit and future amendment of his suffering client.

Scarcely any subject was presented among us that

had not in some form attracted the attention and received the investigations of Mr. Randolph; so that he was prepared, not only with an opinion of its real practicability and usefulness, but he could advise as to the mode and means of giving it fruitful operation.

The prescribed theatre of action for Mr. Randolph, under the rules of this Society, was the County Prison. There, with affectionate earnestness, he invited the prisoner to "consider his ways, and be wise," while his encouraging advice held out motives for repentance. Nor was he slow in discovering the amount of guilt involved in the act for which the convict was suffering; and where there was any evidence of mitigating circumstances, he was persistent in his earnest appeals for Executive clemency, and very often he was successful.

How much is lost to the cause of humanity, and therefore to this Society, by the sudden cessation of Mr. Randolph's labors in behalf of the prisoner, we may, in some measure, compute, great as is their loss to us and to the suffering objects of his quiet, unobtrusive charity; but who shall estimate what is lost to the Society in the future by the withdrawal of such a member to whom we all had begun to look, to assume the place and discharge the duties now undertaken by his seniors.

It is little to say that those who love the Society, and labor in its name, had looked forward to the time when the brightest conceptions of usefulness would be realized in the commanding influence of Mr. Randolph, and the power of office passing into his hands, would be exercised with dignity, and transmitted for continued benefit.

But these hopes perish with his loss, these high anti-

cipations fail of fulfillment, and only the beautiful example of our lost companion is to be productive; only the memory of his pure life, and the recollection of his modest self-sacrificing labor in the cause of humanity remain. Let that beautiful example be imitated. Let that blessed memory be cherished with growing fondness. Let that profitable recollection be vivid, to show at least that we can appreciate true excellence, and that we possess the virtue to be moved by the highest order of Christian philanthropy.

There are other associations that must mourn the loss which we now deplore, and other societies that have profited by the sterling virtues which we now commemorate. They shared his care, his sacrifices. A life so useful, on which so much of hope and reliance was fixed, was perhaps sacrificed by earnestness to perform *services* that became *duties* to him by *assumption*. We mourn with those associations their loss; and we sympathize in their sorrow, which is our sorrow. We comprehend their crushed hopes of the future in the cherished object of this memorial—they were our hopes.

There are sorrows for the death of Mr. Randolph that are too sacred yet for the intrusion of our sympathy, reverend, deep as they are.

The mother of such a son as Philip Physic Randolph, must await the consolation which only time permits even to religion. It would be impossible for a mother to rear a son to such virtue without a maternal consciousness of the existence and influence of that virtue. It would seem almost impossible that a mother could feel such a support snatched away without an over-

whelming sense of deprivation, and, for a moment, crushed affection may look in vain for reason or consolation for the loss. Appreciating all the excellence of character, and all the usefulness of the labours of our departed colleague, we comprehend something of what a mother must suffer in the death of such a son ; but we know also that she who could have reared a son to such excellence of practical Christianity must have drawn her lessons from the teachings and examples of Him who will, in His own time, heal the wound that He has permitted.

On motion of William S. Perot, the memorial was approved, and the following resolution was adopted :

*Resolved*, That a Committee of five be appointed to convey the sincere sympathy of the members of the Acting Committee to the family of Mr. Randolph, for the afflicting loss they have met with, together with a copy of the proceedings of this meeting in relation to the death of PHILIP PHYSIC RANDOLPH.

James J. Barclay, Joseph R. Chandler, William S. Perot, Charles Ellis, and John J. Lytle, were appointed the Committee.

---

## FOREIGN REPORTS.

We have received from London our copies of Reports from the Reformatories and Industrial Schools, in England, Wales, and Scotland ; also the annual statement of the " Prisons of Scotland ;" also " The Annual Report of the Directors of the Convict Prisons of Ireland ;" all of them for the year terminating 31st December, 1868.



These elaborate Reports are deeply interesting to all in this country connected directly with the administration of public prisons, as they seem to illustrate in a considerable degree the effects of various kinds of discipline, and the character of labor that may be employed.

They more deeply interest those who, in the United States, seek to alleviate the miseries of public prisons, because in Great Britain and Ireland, as in France, the efforts at moral alleviation constitute a part of the administration of the prison, and hence come to be a part of the report of the directors, governors, or administrators.

We may add also, that these Reports are or ought to be of great interest to those who will, we hope, in a few months, hold official relations between the government of the penitentiaries and prisons, and the government of the Commonwealth, as "Commissioners of State Charities." This interest must be not alone in the minutiae of the information presented by the prisons to the State authorities, but also and greatly to the mode and manner in which that information is conveyed.

The Reports are beautiful specimens of careful and instructive tabulation; perhaps in beauty and minuteness those of the French are first, but those now before us are such as should command the attention of the new commission, and as far as applicable they should be adopted as precedents.

We have this year felt called upon to make copious abstracts of these Reports. They show the state of this species of public institution, and they also throw some light upon plans that seem yet unsettled. The condi-

tion of the prison question in this country is such that there is danger that a deep and overwhelming sense of the inefficacy of most systems of prison regulation in the country and the difference of opinion among those who have studied the question of prison discipline, will drive the uninformed, who may have power with the press or in the legislature, to some half measures, or in their attempts to escape the evils that exist, they will "fly to others they know not of."

---

## IRELAND.

The fifteenth Annual Report of the Directors of Convict Prisons in Ireland, is deeply interesting, from the fact that the statements have reference to the "Irish System," so much talked of, and in part so valuable. We shall in our present abstract specially notice the statements or suggestions that refer to the specialties of the Irish System.

In 1868 there were 246 convicts sentenced to penal servitude in the prisons of Ireland, viz. : 172 males, and 72 females, and 245 discharged.

Of those convicts the ages varied from 15 to 60, and upward. The greatest number, 50, being between 30 and 40 years.

The sentences during the year were from one year to life. As the legislation of our State must, at the present session, have reference to the commutation of sen-

tences, it may be well to give here a statement of the terms of all the convicts in Ireland, for the year 1868 :

Three years penal servitude,	.	.	.	.	.	.	1
Four " "	.	.	.	.	.	.	2
Five " "	.	.	.	.	.	.	81
Six " "	.	.	.	.	.	.	1
Seven " "	.	.	.	.	.	.	71
Ten " "	.	.	.	.	.	.	16
Twelve " "	.	.	.	.	.	.	1
Fourteen " "	.	.	.	.	.	.	4
Fifteen " "	.	.	.	.	.	.	3
Twenty " "	.	.	.	.	.	.	1
Less . . . . .	.	.	.	.	.	.	4
Total, . . . . .	.	.	.	.	.	.	185

The sentences in England and Ireland are much heavier than in this country. On recurring to the table of the classification of crime on which conviction was had in Ireland, we notice that of 188 "larceny" brought 61 to the convict prison.

Of the 245 discharged in 1868, 82 completed the sentence and 163 were discharged on license (ticket-of-leave), that is, suffered to go out to work under the surveillance of the police. Of course these 245 discharged were from the conviction of previous years, as no person is sentenced to penal servitude for less than three (3) years.

Sixteen of these "ticket-of-leave" men returned to the prison. It is proper here to state that this apparent large number doing well in Ireland is only apparent, as we find in another table that in the time between 1856 and 1858, 219 of these convicts *emigrated* from

one single "reception house." From those licensed convicts, or "ticket-of-leave" (prison) graduates are derived the occupants of many of the cells of the prisons and penitentiaries of this country.

It is here eminently worthy of note that while, in the report of former years, it was stated that the demand in the factories and various industrial institutions in Ireland, for convicts licensed to go out, generally exceeded the ability of the prisons and refuges to supply—this year's (1868) reports have the following important statement, to which we invite the attention of our readers as sustaining some doubts which we formerly expressed :

"The prejudice of the public mind in Ireland against the employment of convicts in trades, is deeply rooted, and, until some change in the condition of things arises, the Directors can only employ convicts of the laboring class in producing articles for prison consumption."

Former reports set forth that there was a strong feeling in favor of the work of convicts. We know also that in this country there is an objection to convict work. While a large demand for any article exists, few trouble themselves, consumers or producers, how those articles reach the market. But when the market is glutted by convict labor, the honest artisan will denounce the system that invites him to be a rogue, or drives him away from competition with honest men, to make room for the production of felon labor.

The Irish Reports recommend that convicts be employed in making articles for cleaning purposes of all large government establishments.

The question of prison labor and its product is one

which is as yet unsettled, and the propriety of taking from the honest workman his means of continuing honest, and rearing his family in honesty, for the benefit and comfort of the dishonest, will not be admitted, if placed just in that light. It will not be denied that there are circumstances that justify the measure of making the prisoner concerned in supplying the market with certain productions. This is not the place to discuss that question.

In our statements last year and the year previous, of the Irish System, we mentioned that the first stage was separate confinement with much deprivation. Those who had done well in their probationary period, are then sent to other prisons for the second period.

Well conducted Roman Catholic females are drafted out of the place of first confinement, and sent to the Roman Catholic Refuge, at Golden Bridge. This movement seems to be successful, as also a similar movement of Protestant females sent from the first prison to the Protestant Refuge.

### MOUNTJOY MALE CONVICT PRISON.

This is a prison to which the male convicts are sent for a probationary season. 185 were sent thither in 1868, and 123 were passed to prisons for the second period.

Those prisoners who are in this probationary (or first) stage, are employed in picking oakum, tailoring, and shoemaking, in their separate cells. One boy was flogged with birch rods it is stated. Birch, then, still

exists in Ireland. The offences committed by the prisoners while in their cells are those common to all inmates of prisons. The amount and character of work reported are much like that done in the County Prison in this city.

Most of the prisons in Ireland, perhaps all, have a physician and three chaplains. One Protestant (Episcopal), one Presbyterian, and one Roman Catholic, and these Chaplains have assistants, where the number of prisoners render such aid necessary. There are in some regularly employed and paid schoolmasters, and even a lecturer. All of these officers make special report of their labors and the results.

We are struck with the following remark in the Report of the Protestant Chaplain for the Mountjoy Male Prison :

“I have closely watched the prisoners in probation, and my experience of the past year strengthens me in my opinion, expressed in my last report, that the SEPARATION carried on with regard to that class has a very salutary effect, and that many subjected to this, as it appears to me, wholesome discipline, may almost be said then, for the first time in their lives, to have a serious thought.”

What a clear testimony is this to the value—the infinite value of the separate system !

This separate confinement has fruits worthy of note. The Roman Catholic Chaplain for the same prison, thus speaks :

“The men have been, with very few exceptions, attentive to their religious duties, have profited by them,

and become in reality reformed." He adds: "The prisoners who leave 'Mountjoy' go out in general with a sufficient knowledge of religion and their duties to God and man."

The same Chaplain bears testimony to the good effects of the fair and conscientious treatment of the prisoners by the officers of the prison. He also recommends that the prisoners in the first stage of the system be allowed to profit by "overwork."

The Presbyterian Chaplain thus bears testimony to the value of personal, individual interviews with the prisoners:

"The weekly cell-to-cell visitation has been observed, and with closeness of personal converse the importance of spiritual things has been brought home to them individually."

The Report of the School Master is gratifying.

The reports of the various officers of the Spike Island Prison are good.

It is wonderful how certain early religious considerations hang about people when the object of these considerations seem to be lost sight of. The Presbyterian Chaplain of Spike Island Prison has had a portion of the inconvenience which is experienced by his reverend brethren who are settled clergymen. In his little congregation—all prisoners convicted for the second time at least, gave him much uneasiness by their different opinions upon Psalmody and Hymnology—a part of his charge refusing to sing hymns, because they are not inspired, and demand that nothing shall be sung in Divine worship but the Psalms of David. Meantime the con-

victs who lead the music like to have some hymns. A compromise was effected temporarily. Hymns and Psalms are both sung. Men may smile at such a division of opinion, so strongly contested, upon such a subject, and by twice convicted convicts—but it appears to us that the tenacity of opinion shows a deep impression of religious ideas, that may admit of some more important truths. Such a feeling, even in convicted felons, should be respected, it may be all that is left of maternal instruction—the single point in the moral constitution to which a new attachment can be made—“the smoking flax” that is not to be “quenched.”

In looking over the reports of the chaplains of the Female Prison at Mountjoy, we find that they concur in a high estimate of lady visitors. The Protestant chaplain says: “The lady visitors kindly continue to give us their valuable aid, and our Ladies’ Committee of the Refuge is attended regularly.”

The Roman Catholic Chaplain, and the Religious Sisters of Mercy, have been of great assistance to us during the year, both by instructions given by them in prison, and by their admirable management of the St. Vincent’s Refuge, at Golden Bridge.

It is gratifying to know from the reports, that in the intermediate prison, that is, when the separate confinement is dispensed with, the discipline of the former part has produced some good effect, and the prisoners enjoy full religious instruction, and both Protestants and Catholics have and use the privileges of the sacrament of their respective churches.

It seems that after the first term of separate confine-



ment, and the intermediate stage of social imprisonment, many renew their offences on going out, but we are free to say, that with the admirable administration which exists, if the prisoners could be kept separate for the whole term, their term might be shortened, and very few would return to their crimes and imprisonment.

---

## SCOTLAND.

### PRISONS.

In looking over the statistics of foreign prisons, one naturally feels an interest in the case of such institutions. There are in Scotland seventy-three (73) prisons of all kinds. Of these there are seven (7) of which no account is given, because the average number of prisoners in each is less than five (5.) So that in Scotland the whole number of prisons reported is sixty-six, (66,) and in the course of the year ending in June, 1868, there were confined in those prisons 30,065 prisoners, with an average of 31 days each, and the average daily number in custody was 2,551. The gross cost of maintaining all the prisoners, counting the salaries, diet, clothing, bedding, lighting and fires, was £24 11s. 7d. per head. The average earnings of the prisoners (in all the prisons) was £3 8s. 6d.; so that the nett cost of maintaining each prisoner, after deducting all earnings, was £21 3s. 1d. This includes a general average of all the prisoners of all kinds. But these separate statistics relate to the same prisons, but including only the prisoners

sentenced to six months or upward. Of that class there were in all the prisons of Scotland 936, whose total earnings for the year was £4,473 16s. 6d., averaging £4 15s 7d. each. In the General Prison, that is the Penitentiary at Perth, the average was £5 0s. 3d. each prisoner. It will be seen by the above that each prisoner costs £21 3s. 1d.—about one hundred (100) dollars in gold.

In the Perth prison, or Penitentiary, where work is regular, and the average duration of imprisonment ten times longer than in most of the other prisons, the cost of maintaining each prisoner is £25 0s. 2d. about \$120 00 in gold, and that, too, when almost every article, as well as salaries and wages, is much lower than in this country.

There are in Scotland seventy-three (73) prisons, and the total amount of salaries of all kinds of officers that govern and keep them, is £26,419 5s. 2d., about \$130,000 in gold. Of course some of these prisons are only "lock-ups," but they cost. Arbroath, Brechin, and Montrose, each expends £2 2s. in salaries. The General Prison, or Penitentiary, at Perth, pays £7,665 1s., and has a total expense of £18,381 4s. 11d. while the total cost of all the prisons in Scotland for salaries, food, furniture, contingencies, &c., is £62,708 13s. 4d.

We notice one good feature in the statement of current annual expenses, viz., £607 8s. 11d. for retired allowances to good officers, who, having given their best days to the service of the institutions, are not, when physical power fail, to be turned out of office and home, with no means of living, and no power to earn those means.

It is somewhere stated in these reports that the number of imprisonments decreases in Scotland, yet the tables do not so present the case. For example: the commitments in the year 1861 were 18,575; in 1866, 23,423; in 1867, 25,726; in 1868, 26,843; certainly a steady increase. And the number of sentenced prisoners (felons) increase in the same ratio. Juveniles, sentenced to be whipped in 1867, amounted to 86; in 1868 over 135.

In 1867, there were sentenced to transportation and hard labor for life, 176, and in 1868 the number was 223.

The number who had been previously committed to the same prisons is very considerable, and constantly increases; in 1867 it was 12,700, and in 1868 it was 13,574. Of these "repeaters," or as the French denominate them, "*Recidives*," there were in 1867, 329, and in 1868, 335, who had been committed fifty times or upwards.

We have said that the tables show an increase of commitments for almost every kind of offence, and of persons of almost every age, while the Reporters say that crime diminishes. This opinion may be correct, notwithstanding the augmentation of the number of commitments. Perhaps a more vigorous police is employed, and a more careful and severe prosecution of offenders is adopted. In that case the number of offences may well be diminished, while the number of punishments of offenders may be increased. Indeed the former is a probable result of the latter.

In noticing the ability of one of the large prisons to accommodate the prisoners, the Report intimates that

the prison is likely always to be full so long as the number of those sent thither is sufficient to fill it. It would appear that something less than the usual acumen of a Scotchman was required to make that discovery.

In looking over the table of commitments we find that of the whole number committed *for crime* in all the prisons of Scotland in 1840, a little more than half were females, viz., males, 1,264; females, 672; the difference diminishes so that in 1859 there were 1,098 males, and 1,093 females.

The prison of Ayr is one of considerable rank among the penal houses of Scotland, especially because it is larger than the wants of the county, so that it is made a sort of general prison or penitentiary, for the relief of other prisons. Many, indeed most of the prisons of Scotland are crowded, and as commitments are on the increase, there is likely to be less of separate confinement than is now possible.

The prison of Ayr seems to be the favorite for female convicts.

It must be noticed that the prison department of Scotland is independent of that of other parts of the United Kingdom, for which Parliament makes special annual appropriations, amounting to £38,534 9s. 2d., while the County Boards assess for these prisons, £40,762 3s. 2d., making a total by Parliament and counties of £79,316 12s. 4d.

Separate confinement is the general rule of the prisons of Scotland, but there are circumstances which lead to associated confinement. These changes are under the

direction of the resident physician, and are of course referable to the health of the prisoner. Of these, thirty (30) cases are given. The unhappy persons were idiotic, epileptic, imbecile, insane, blind, weak minded, &c. One person we notice was allowed a companion, because he was a Highlander and could speak no English; the Highlanders knowing no English suffer mentally unless associated.

It is gratifying to notice that great care is given to the case of persons charged with criminal acts who are suspected of insanity, and ample report is made of all such, with the final disposal and condition of the prisoner. The trial is sometimes suspended, often the prisoner is not brought to trial, but placed where he can do no harm. If he is declared insane on trial, he is not, when acquitted on the ground of insanity, discharged on evidence of soundness of intellect. The Report states that the number of insane criminals is constantly increasing, and demands enlarged accommodations, that there may be applied some alleviating process and treatment.

### WEIGHING.

It seems that every convict is weighed when received into the prison, and again weighed on being discharged. Of 735 females who had served out long sentences, 46 on leaving had neither lost nor gained in weight; 346 had gained, and 343 had lost, 53, five per cent. Of 532 men, 15 remained stationary, 394 gained, and 123 lost in weight, 76, 8 per cent.

## SALARIES.

The salaries at the Perth prison are worth noting: Governor, maximum, £550; Deputy Governor, £300; Chaplain (Presbyterian), £300; Visiting Roman Catholic Priest, £70; Visiting Episcopal Clergyman, £50; Bible Reader, £130. The wardens, clerks, &c., get much lower salaries than the Governor, but all have residences, with gas, and the salaries increase with the length of service. The salaries of females, wardens, &c., are £53 and £45.

## PERTH GENERAL PRISON.

The sentences in Scotland are much more severe than in this country—transportation for from fourteen to twenty-one years and for life.

The penal servitude, that is, imprisonment and hard labor, is from four to twenty-one years and for life. By far the largest number is for seven (7) years. The relations of the sexes in the different prisons is worthy of note.

Of those who are simply imprisoned, and with short sentences, for nine months to two years, there are 567 men and 290 women.

Of those who are to be transported for from fourteen years to twenty-one, and for life, every one is a female, and those for life are the most numerous.

There are undergoing sentences from four years to twenty-one and for life, 454, viz., 270 females and 184

males. Of the seven sentenced for life, six are females and *one* is a male.

We do not think that there is a single prison in this country where the number of female convicts exceeds that of the males.

The number of prisoners in custody in this general prison or penitentiary, at the close of the year 1868, was 752, viz.: 376 males and 376 females. Of these 298 had been in the general prison before, 87 males and 211 females.

We notice also that many are returned having forfeited their order, or license—their “TICKETS OF LEAVE.”

### LENGTH OF SENTENCES.

We have frequently stated that some difference in discipline between the prisons of this country and those of Scotland must be consequent upon the difference of terms. Something of the difference and of the greater severity of Scotland may be inferred from the following statement of offences and sentences: Sheep stealing, six years; theft, by housebreaking, five years; theft and previous conviction, five years. We do not know what amount of time the sentence for sheep stealing would include in this country, but it has always appeared that such an act is rather one to ensure lasting contempt than extended imprisonment.

### INSANE.

The arrangements throughout Scotland for the proper

care of insane criminals is admirable, and denotes a considerable advance in this branch of prison science. We do not know but quite as much was hoped for by citizens generally by the erection of the State Asylum for the Insane, near Harrisburg. But it is not consistent with the true principles of humanity that the felon should be associated with the respectable.

It is said that the number of criminal lunatics greatly increases in Scotland. In this country we should say that the increase is less in the convicted than in the untried.

### MARK SYSTEM.

In Scotland as in other prisons of Great Britain, the Mark System includes also the Ticket-of-leave, whereas the term Mark System really ought to be applied only to that part which allows the prisoner to earn a reduction of the time by good conduct of all kinds. The Governor of the Female Prison of Ayr, says :

“The Mark System continues to work well. It is beneficial to both the prisoner and the prison. It promotes good behavior among prisoners, and encourages them in habits of industry ; and every year since its introduction there has been a steady decrease in the number of punishments, and the profits from work have year by year been increasing. Notwithstanding the greatly increased amount of work done by prisoners, complaints by them of overtaking are becoming more and more rare.”

The satisfaction of prisoners results, of course, from



the fact that they obtain pay for their work by the time which is taken from the term of their sentence by good conduct. It may then be supposed that in Pennsylvania no less contentment would be found, where not only reduction of time is made from the sentence, by good conduct, if the new law should go into general effect, but where the system of "overwork," as it is called, enables a shoe or bootmaker to earn a hundred dollars a year, or more, after paying two dollars and fifty cents a week for his board.

The Mark System, it will be seen, is lauded, and, as it appears, not without cause. The error, it seems to us, is to impute to the license, or Ticket-of-leave System, the good fruits of the Mark System—fruits that are alone produced by the Mark System.

We have no means of telling what is the exact result of the second branch of the Mark System, viz., the return to association of convicts and the ticket-of-leave, as time sufficient has not transpired to show what is the effect of the guarded liberty upon the half-discharged convicts, who have been kept in close association with other convicts before their discharge. We see occasionally a report of one or two who have been re-committed for a violation of their ticket-of-leave, that is, recommitted to the same prison; but we do not know how many of these ticket-of-leave people who have been *licensed* out of Perth and Ayr prisons have been arrested and sent to the other prisons of Scotland, or to those of Yorkshire, Lancashire, or London. They are not likely to renew their depredations in the immediate vicinity of their old places of punishment, where they are well

known, and where a new sentence takes with it also the fulfillment of the conditionally pardoned part of the former sentence.

We notice that some of these ticket-of-leave women *are discharged to be taken by some friend to America*. It would seem that the Scotch prisons depend upon the Separate System to produce good promises, and punish a want of fulfillment of these promises. And also that all the short comings of convicts are due to association.

### REMOVAL FROM PRISONS.

Convicts sentenced to more than nine months imprisonment, have to be removed from the local prison to the General Prison, or Penitentiary; or a convict sentenced to transportation is to be sent from the place of trial to London, to be put on board the transport ship and conveyed to the penal colony. These removals are made subject to special and close legislation. And as removals are practised in this State (as taking convicts from the interior counties to the two Penitentiaries) we shall notice some of the provisions of the British laws as operative in Scotland. No step is taken without such provision as will secure to the country the safety of the convict, and to the convict the safety of his remaining rights.

Here is a provision eminently worthy of notice. In the removal of every female prisoner, at least one female officer shall accompany her during the whole course of the journey.

Every prisoner, before removal, shall be provided with

suitable clothing against the weather, and a bed-rug, flannel shirt and drawers; in the winter there shall be shirts, drawers, stockings and shoes.

And officers employed in these removals have a fixed allowance beyond their usual salary. The whole arrangements for the removal of prisoners are wonderfully minute as it regards all that concerns officers, court, or prisoners.

---

## REFORMATORIES AND INDUSTRIAL SCHOOLS.

### GREAT BRITAIN—REFORMATORIES.

There is in Great Britain a class of schools partaking of the character of "Houses of Refuge," which are denominated there, Reformatory Schools, of which there are 64, situated as follows: In England, 36 for boys, and 14 for girls; in Scotland, 8 for boys, and 6 for girls.

Of the qualifications, or disqualifications, for admission to these reformatory schools, we are not exactly apprized, but we infer that crime of some kind or another must be found, as we find the term "*convicted*" is used with regard to most of the boys and girls placed in these institutions. These schools, then, are prisons, places of penal residence, wherein reformation is a primary consideration.

These reformatory schools are under the care of a staff of officers and assistants, usually a Superintendent

and his wife, and a Schoolmaster and assistants. Of course, the location would have an effect on the number and profession of the staff: for example, the scholars in cities or large towns, must find employment chiefly in doors in shoemaking, tailoring, sewing and knitting. If the school is in a small town, or in the country, the boys are employed on the farm, in the garden, in the workshops, and in the fields of neighboring farmers. Of course, attention is paid to education, and a Chaplain, or religious teachers, have a place in all these schools, and the result of their labor in the division of education and religion is given in the Report. The girls in these Reformatories, are employed in work suited to their sex—sewing, house-work, bread-making, &c.

In Great Britain and most of its dependencies, as there is an established religion, that is a religion of the State, there is usually a special reference to other creeds in all great movements that include moral and religious training. Hence we notice that these Reformatories are classed with reference to the religion of those placed therein for discipline, and whilst the police and general government are alike in most, the direct administration and religious training are confided to persons of the same creed of the involuntary inmates. We consequently find the following classification of the schools in Scotland and England, including Wales: Six of the English schools and two of the Scotch, receive Roman Catholic offenders only, and these Reformatory schools (or Houses of Refuge) are thus located:

In England, Brook Market, Market Wighton, Mount

St. Bernard, and the Clarence Ship, are for boys. Arnos Court and Sheffield, for girls.

In Scotland, Parkhead, for boys; Dalbeth, for girls. Two of the English schools for boys receive both Catholic and Protestant; the others are for Protestants only. Two more Reformatories are about to be established in Lancashire for Catholic boys.

At the close of 1868 there were in these Reformatories,

PROTESTANT SCHOOLS.

	<i>Boys.</i>	<i>Girls.</i>
England,	2,967,	694.
Scotland,	781,	187.

CATHOLIC SCHOOLS.

England,	1,052,	186.
Scotland,	272	109.

and there were 43 Catholic boys in two Protestant Reformatories.

The report while it regrets an addition to the number of youths committed to these Reformatories, finds a just occasion for felicitation in the fact, that the number of those "placed out" in different employments is largely increased, and the number of absconders is greatly diminished. Children are sent to these Reformatories at an early age, and are liable to these kinds of imprisonment till they are sixteen years old.

We notice that the smallest number of committals are of those under *ten* years, viz., 17 boys and 2 girls. The proportion of girls to boys is less than one-eighth. Between 10 and 12 the commitments are 207 boys, 50 girls—less than one-quarter; between 12 and 14, boys

518, girls 120—less than one-quarter; between 14 and 16, boys 577, girls 149—more than one-quarter.

Of the effect of discipline and reformatory care upon the two sexes, some judgment may be formed by the following statement of the number of boys and girls committed in 1868, and of the number of their previous convictions.

	<i>Boys.</i>	<i>Girls.</i>	<i>Excess of Boys.</i>
Not before convicted,	899,	644,	255.
Once before “	512,	433,	59.
Twice before “	156,	146,	10.
Three times before convicted,	59,	54,	5.
Four times “ “	23,	22,	1.

It is worthy of note here that the proportion of girl “Repeaters,” or recommitted, increases rapidly with every repetition. This does not seem to be specially noticed by the authors of the reports; but in all such matters there seems to be a cause; “this effect defective comes by cause.” Of course, those most frequently committed are the oldest, and after a certain time the “girl” begins to understand that she loses “caste” by her misconduct much more than does the boy, and as she has much less to lose by each commitment, thinks she has much less to hope for, by a change of conduct, she becomes reckless, and by frequent commitment to the reformatory, becomes a successful candidate for the prison.

The number of first commitments have increased nearly one-half. This can scarcely be a consequence of increased crime, but rather, we think, the more extensive and thorough working of the Reformatory System,

while the number of those committed twice before, has decreased by about one-third, and those committed three times and upward have decreased by nearly three-quarters. This also we consider as the effect of the operation of the system—the just, judicious, and humane administration of the law. Complaint is made that some who had been frequently committed are, in their recommitment, placed with those inmates that have not been so hardened in crime. It would seem that some contrive to escape and avoid arrest.

Less than one per cent die.

Of the number who have been admitted and discharged, that remain to be accounted for, viz, 2,763 boys and 747 girls—one thousand eight hundred and twenty-four (1824) (66.5 per cent.,) and 492 girls (65.9 per cent.,) are reported as known to be doing well; 106 boys (3.9 per cent.,) and 87 girls (11.6 per cent.,) to be of doubtful character; 470 boys (17 per cent.,) and 71 girls (9.5 per cent.,) to have been convicted of crime; and 345 boys (12.5 per cent.,) and 97 girls (13 per cent.,) to be unknown.

It seems that much greater success attends the labors in some schools than in others. For example: In the Reformatory school in Northamptonshire, remarkable both for the efficiency and economy of its management, the ratio of entire success reached 96 per cent. And in the Roman Catholic female Reformatory the percentage is 100—that is not one single girl that has been placed or bound out from that Reformatory, *not* one failed to realize all the hopes, and fulfill all the promises in her behalf, while in some of the Reformatories the average

is as low as 33 per cent. We find it difficult to judge of the comparative value of discipline and instruction in these Reformatories, so much must depend upon the circumstances of children before they enter, and so much must also depend upon the surroundings of the institution.

We have already stated that the criminal statistics for the year 1868, show an increase in the number of convictions. In 1867 the number of commitments of offenders of all ages for England and Wales, rose 6 per cent.; but in 1868 it advanced more than 9 per cent.; but the increase of juvenile offenders is only 5 per cent. in England and Wales, while in Scotland the increase is more than 10 per cent. This is partly owing to the failure of the House of Refuge in Glasgow. As a general rule we may say that crime is on the increase in Great Britain with the old and young, or the detection and punishment of criminals is more thorough.

These Reformatories are maintained by payments from the national treasury, £77,351, parent's payments, £3,019, subscriptions, legacies, &c., £10,226, contributions from rates, £17,823, voluntary associations, £722, sundries, £2,297, industrial profits, £10,829.

The average total, per head, for English *boys'* Reformatories, including the loss or gain in the employment of the inmates, was £18 19s. 10d., equal to nearly \$95 in gold. The earnings of the boys, considered in that average, was £1 15s. 4d. per head.

The English *girls'* Reformatories averaged, after deducting earnings, £3 7s. 6d. per prisoner—£16 15s. per head.



In Scotland, the average of cost for boys and girls was less.

It is worthy of remark that some of the costs of certain of these young persons consist in money expended in their "emigration." These emigrants are a species of juvenile ticket-of-leave persons.

The Report speaks of the importance of having a special Agent for these Reformatories, who can assist in procuring places and means for some of the retiring inmates.

The Reformatory School whose existence and operation we have been noticing, are similar to the "Houses of Refuge" in this city. The "detained" have been committed for some violation of the law. But they are considered under restraint for instruction and moral improvement.

The other class of schools are denominated

## INDUSTRIAL SCHOOLS.

These institutions receive some needy and erring children, who seem to be placed and retained by authority, but not for crime, and at the same time the school receives boarding and day scholars, who are subjected to the same discipline, studies and labors as are the others. All these institutions are under Government direction. These schools are supported by the same means as are the Reformatories, viz. : Government allowance, parents' payments, subscriptions, legacies, and payment of County or Board rates, volunteer associations,

&c. And the average cost per head is about the same in the industrial as in the reformatory schools.

These industrial schools are also designated as Protestant and Catholic.

All the children put into these industrial schools are made to work, if in health, and the various pursuits are printing, tailoring, shoemaking, weaving, indoor; and gardening, brickmaking and other outdoor labors. Reading, writing and ciphering are taught in all of them, and each child is under the religious training of some clergyman of his own denomination. Many of the industrial schools for Catholic girls are under the direction of Sisters of Mercy, and other ladies of various religious orders.

The Report states that there is in the town of Liverpool seven industrial schools for Roman Catholic children, receiving about one thousand inmates, and others projected. There are only two Protestant schools of that kind in Liverpool. Some of the Catholic schools for boys are under the direction of the Christian Brothers.

We notice that there are in Liverpool two orphan asylums for Roman Catholics, one for boys and one for girls, yet both receive the same support from the State that is allowed to the penal institutions.

There is also a Roman Catholic Refuge, in which it seems there is, among other employments, a regular printing establishment, in which the work of the "Northern Express" is done. The inspectors doubt whether that is a proper business for such an institution, when it is so liable to be put to political uses.

There are two "Ship Schools," in which boys are trained for the sea service, commercial and national.

It is said of the "Clarence Ship" that she is a Roman Catholic school for boys, stationed at the New Ferry, Liverpool. There were, say the inspectors, only 16 boys in the first class, and about 20 in the second. The boys went through with their nautical exercises very creditably. There is another ship school.

These various juvenile institutions we have noticed at an unusual length because we would draw the attention of our readers to the kind of institutions here represented. They are very important in Great Britain, and are becoming necessary in this country. They may be the means of checking the current of vice that seems to threaten to inundate this country, and it is to be hoped that the new Commission of State Charities will consider the importance of such schools or refuges, and seek to bring the class of pupils that shall attend them under that discipline which shall bring something out of the dangerous masses of neglected boys and girls, better than has yet been found. We do not suppose that we can have any schools exactly like those in England, especially in their government and responsibility. But allowing for the difference in the customs and plans of the people, and especially in the character and influence of the government, we might hope that something would be done to bring the poor within the influences of that education which is so important in this country, and to place the vicious under the influence of a discipline which is so important in all countries.

There is a State Church in Great Britain, and it

might be expected that it would be now as in former times, that whatever partook of State (or public) correction, supervision, and pecuniary aid, would be thought the channel of the State religion, but it appears to be different in the cases which we have noticed. The reformatories and the industrial schools, all for young folks of both sexes, in England and Scotland, are classed according to the religious creed of those who are to be received and educated therein. They are either Protestant or Roman Catholic, where there are in the neighborhood enough of qualified inmates to fill a school; —where there are not enough Catholics to form a school, the children of that creed are sent to the Protestant school, but are submitted, in their religious instruction, to the care of clergymen of their own faith. Much of the money required to maintain these schools is derivable from the general funds, yet they are placed at the disposal of these schools, which are by character and designation denominational. For example :

Mount St. Bernard's Reformatory, a Roman Catholic institution, costs annually £5,694 19s. 8d.

Out of that sum parents pay only £73 6s. 9d., and subscriptions and legacies £376 9s. 6d., while the State pays £3,882 14s. 10d., and the county or real estate in the county pays £1,814 7s. 11d., and that is about the average of the distribution of payments in all the schools. There are some indeed where the parents can pay nothing.

We notice that near the town of Liverpool some of the Catholic Reformatory and Industrial schools have provisions for receiving servant girls out of employment,

a provision which experience in the cities of the United States has shown to be very important and desirable.

We have noticed above that printing is introduced into one of the schools, and that the inspector suggests that it is liable to censure, as the type and press are used to issue a political paper, but no objection is made to the use of type and press for general purposes. Music is taught in several of the schools, with the view of forming military and navy bands.

We notice that censure is given to the habit of boarding out some of the boys employed on farms. "That is excellent in theory," says the report, "but fails decidedly in practice—the control of the boys is lost."

The reports bear testimony to the excellence and efficiency of female teachers. In St. Mary's Industrial School, Liverpool, 400 boys are under charge, and the report says "the instruction of the large body of children is carried on entirely by FEMALE teachers, and is very effectively conducted."

We notice in the schedule of the schools and the list of officers, that there is one officer called Hon. Secretary. These officers seem to be gentlemen of distinction in the immediate neighborhood of the school, and in many cases they are clergymen. Thus, *Boys' Refuge Industrial School* for Roman Catholic boys, Hon. Secretary, Rev. James Nugent, 22 Soho street, Liverpool. *Church Farm Industrial School*, East Barnet, Hon. Secretary, Lieutenant-Colonel Gillien. This certainly is an excellent method of presenting the institution to the public. It shows that it has the approval and the co-operation

of those who command public respect; and especially that part of the public that are deeply interested in the schools, viz., the inmates and their parents or friends, on one side, and the humane and the public authorities on the other side.

---

## CONCLUSION.

Less than usual has been said in the present Journal of the movements in this State towards forming and conducting to useful results associations for the Alleviation of the Miseries of Public Prisons. The spirit which we have heretofore remarked as expressive of, and ministering to, humanity, is yet active, and societies are being formed, and those already formed, are active for good; and when the Legislature of the State shall fix upon certain measures for giving uniformity to prison discipline, we may look for a hearty concurrence of action by the people.

Individuals that have already distinguished themselves by labor and sacrifice in the cause of humanity to prisoners, are yet active, full of zeal, and abundant in good works. The readers of the Journal are familiar with the name and services of Jeremiah Willits, an aged member of the Society of Friends, who for several years visited most of the Prisons and Almshouses in this State, and many of the Western and Southern States. An account of a part of his labors was given in previous

numbers of the Journal. More than a year ago Mr. Willits removed his residence to Richmond, (Virginia,) and having a knowledge from personal inspection of the condition of the principal prison there, he set himself about an alleviation of its miseries with a zeal and judgment that seem his specialty in that direction. Schools were formed, and religious instruction introduced, and the whole aspect of the prison was soon changed. Mr. Willits was fortunate enough to enlist the good will and valuable services of the Warden of the prison, and so all his efforts were made easy by the example of the Warden, and the concurrence of the chief officers. The effect already wrought among the prisoners is said to be most noticeable. And the affectionate confidence which Mr. Willits has secured among the convicts, gives the highest hopes of great and beneficent results, which will be permanent.

Mr. Willits' attention is specially given to the inmates of the State Penitentiary, in Richmond. The deep solicitude he felt for the improvement and instruction of these men we have occasion to know, and a little event at the close of the year 1869 shows how his services are appreciated in the Penitentiary, where they are rendered

It seems that according to the Southern custom some observances were to note the departure of the year. A little better food, social gatherings, reading, singing, and other religious exercises, and it could scarcely be that the cause of such unanimity of rejoicings would be overlooked, and accordingly we learn that the following invitation was sent to Mr. Willits:

## A LETTER.

*Office of Superintendent Virginia State Penitentiary.*

RICHMOND, December 28th, 1869.

We shall be most happy to have Father Willits and daughter with us when we part with 1869 and welcome 1870. To the best room and best bed in the house of the Superintendent, Father Willits is invited. To the best room or place in the Chapel, Father Willits is invited.

Six hundred and twenty convicts, the Superintendent, and all the officers, thank Father Willits for past services, and hope he may be present on the occasion referred to in the enclosed slip of paper.

Your unworthy friend,

BURNHAM WARDWELL.

This side Heaven nothing could be a more satisfactory acknowledgment of duties accomplished, than such a letter. We congratulate Mr. Willits and his amiable colleague.

We do not count Mr. Willits less of us because he is in a distant city; the relations with us are strengthened and endeared by the forceful and beautiful illustration which he gives of the motives and principles of our Society.

We look to these migrations of members as a means of extending a knowledge of our plan and of augmenting its usefulness. To have been with us and of us is proof of a participation in our principles and our labors. For one to go elsewhere is to take with him a part of that which makes us useful, it is to scatter the vital principles of active philanthropy, and to cultivate them into more extensive usefulness. The bee that wanders



from field to field, often takes with him from flower to flower the pollen that gives fecundity to the plant.

We close our annual report with the hearty wish that the efforts of the humane may always be prudent as well as earnest, and that they may be made eminently profitable to society by the benefits which they shall produce to individuals.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTTLE,

*Secretary.*

*January, 1870.*

*7.*  
*Ex. 10*







#### ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all orders of the Society, or of the Acting Committee, signed by the presiding officer and Secretary; and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested; only the income thereof to be applied to the current expenses of the Society.

#### ARTICLE V.

The Acting Committee shall consist of the officers of the Society, ex-officio, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover, to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular Minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

#### ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

#### ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

#### ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* fifth day (Thursday) in the months called January, April, July, and October, of whom seven shall constitute a quorum.

#### ARTICLE IX.

No alterations of the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the presiding officer shall have the casting vote.



# OFFICERS OF THE SOCIETY.

1870.

PRESIDENT,—JAMES J. BARCLAY.

VICE-PRESIDENTS, { JOSEPH R. CHANDLER,  
WILLIAM S. PEROT.

TREASURER,—WILLIAM DUANE.

SECRETARIES, { JOHN J. LYILE,  
EDWARD TOWNSEND.

COUNSELLORS, { HENRY J. WILLIAMS,  
CHARLES GIBBONS.

## *Members of the Acting Committee.*


Charles Ellis,	Thomas A. Robinson,	William Hawkins,
Thomas Latimer,	John Livezey,	Isaac H. Shearman.
John M. Wetherill,	Henry M. Laing,	Augustus Thomas,
James E. Kaighn,	Mahlon H. Dickinson,	J. J. Woodward,
Alfred H. Love,	Lewis R. Conard,	William Vanderveer.
George Taber,	A. Jackson Ourt, M. D.	John T. Roberts,
James Peters,	Rev. Chas. F. Diver,	Rev. E. R. Beadle,
William Armstrong, M.D.	Benjamin Hallowell, Jr.	William Ingram,
William Nicholson,	John C. Remington,	Henry Perkins,
Samuel Townsend,	John C. Farr,	Horace W. Pitkin,
Albert G. Rowland,	Joseph Kinike,	John J. Joyce, Jr.
Theodore Trewendt,	John O'Connor,	Harry Kennedy,
William J. Mullen,	Richard G. Stotesbury,	William H. Burr,
William R. MacAdam,	George W. Hall,	Samuel W. Jacobs,
	Elliston P. Morris.	

## *Visiting Committee on the Eastern Penitentiary*

John J. Lytle,	John Livezey,	Augustus Thomas,
Edward Townsend,	Henry M. Laing,	J. J. Woodward,
James E. Kaighn,	Mahlon H. Dickinson,	William Vanderveer.
Alfred H. Love.	Lewis R. Conard,	Henry Perkins,
George Taber,	A. Jackson Ourt, M. D.	John T. Roberts,
James Peters,	Rev. Chas. F. Diver,	Horace W. Pitkin.
William Nicholson,	Benjamin Hallowell, Jr.	John J. Joyce, Jr.
Samuel Townsend.	John C. Remington,	Harry Kennedy,
Albert G. Rowland,	William Hawkins,	William H. Burr,
Theodore Trewendt,	Isaac H. Shearman,	Samuel W. Jacobs.

## *Visiting Committee on the County Prison.*

Joseph R. Chandler,	William Armstrong, M.D.	John O'Connor,
William S. Perot,	William J. Mullen,	Richard G. Stotesbury,
William Duane,	William R. MacAdam,	George W. Hall,
Charles Ellis,	Thomas A. Robinson,	Rev. E. R. Beadle,
Thomas Latimer,	John C. Farr,	William Ingram,
John M. Wetherill,	Joseph Kinike,	Elliston P. Morris.

 WILLIAM J. MULLEN, is Agent for the County Prison, appointed Inspectors, and acting under their direction, and is also appointed Prison Society.

NEW SERIES.]

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY  
FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONERS,"  
INSTITUTED 1787.

JANUARY, 1871.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB  
Printer,  
Nos. 306 AND 308 CHESTNUT STREET  
1871.



# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION;

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.



NEW SERIES.

NO. X.

THE JOURNAL

PRISON DISCIPLINE

AND

PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1871.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1871.

**JUN 24 1927**

**ROOMS OF THE**  
**PHILADELPHIA SOCIETY**  
**FOR**  
**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month (December) 15th, 1870, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS, and WILLIAM HAWKINS, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Special Meeting of the Society, held Twelfth Month 15th, 1870, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretary.*

**JOHN J. LYTLE,**  
SECRETARY.

# TABLE OF CONTENTS,

## WITH AN ANALYSIS.

---

### ***REPORT.***

The title of our Journal considered, . . . . .	9
Daily visitations to the cells, . . . . .	10
Each month has its report, . . . . .	10
The Society keeps in view the principle of its organization, . . . . .	10
The action of this Society affecting other similar institutions, . . . . .	11
First, labor for the individual, . . . . .	11
Not effected distant objects this year so much as usual, . . . . .	12
Board of Public Charities approved, . . . . .	13
Improvements to result from the Board, . . . . .	13
Whatever changes may be made, visitation to prisons must be continued . . . . .	14
Movements continued in other parts of the State, . . . . .	15
Stated meetings of the Society regular and well attended, . . . . .	16

### ***EASTERN PENITENTIARY.***

Largest portions of our visits are to the Eastern Penitentiary, . . . . .	17
Good effects of these visits, . . . . .	17
Consolation to the laboring visitors, . . . . .	17
Appointment of Dr. Townsend as Warden, . . . . .	18

### ***COUNTY PRISON.***

Number and character of visits thereto, . . . . .	19
The female visitor welcome and useful, . . . . .	19
Duties of visitors, . . . . .	20
Labor hopeful even if not at once successful, . . . . .	20
Future effect of the apparently neglected lesson, . . . . .	20
Constant labors of the visitors, . . . . .	21
Reasons why the County Prison may not be enlarged, . . . . .	22
Possibility and perhaps need of a City Penitentiary, . . . . .	23

## CONTENTS.

v

Necessity of more funds to aid discharged convicts, . . .	23
Good effects of kindness and attention, . . . . .	24
Aid needed, . . . . .	25

### **COMMUTATION LAW.**

Now applied to County Prison, . . . . .	25
Admirable operation of the law, . . . . .	26
Convicts in Penitentiary, . . . . .	27
Prisoners of all kind in County Prison, . . . . .	27
Great reduction in the number of female prisoners, . . .	27

### **AGENT.**

Mr. Mullen continued as Agent, . . . . .	27
His services not be rendered by others, . . . . .	28
His settlement of cases, . . . . .	28
His labors approved by the Courts, . . . . .	29
Mr. Mullen's co-operation with others in the good work, .	29
Numerous cases settled by Mr. Mullen, . . . . .	30
Review of Mr. Tallack's paper, . . . . .	35
New interest, creating new views, . . . . .	35
Motive of Mr. Tallack, . . . . .	36
Mr. Dickens' mistakes, . . . . .	36
Mr. Tallack's great error, . . . . .	37
Seeks his information at wrong sources, . . . . .	38
Eastern Penitentiary charged with changing its discipline, .	39
Mr. Tallack's misstatement with regard to former and present prison discipline, . . . . .	40
His neglect of the Penitentiary reports, . . . . .	42
Mr. Tallack approves of separate confinement, . . . . .	43
Mr. Tallack's view of the causes of crime, . . . . .	46
General notice of Mr. Tallack's pamphlet, . . . . .	48

### **CASIERS JUDICIAIRES.**

Remarks upon the intention of criminal law, . . . . .	49
Description of Casiers Judiciares, . . . . .	51
How they are used. . . . .	52
M. Bonneville's application of the Casiers, . . . . .	53
Some other uses than Court cases for Casiers, . . . . .	54
Casiers Judiciares thought to be applicable to all countries, .	56

**PRISON MATTERS IN THE UNITED STATES.****MASSACHUSETTS**

Growing policy to place pauper children in families, . . .	57
Massachusetts State prison pays, . . . . .	58
Other prisons in the State do not pay, . . . . .	58
Statistics of the State prison, . . . . .	58
Drunkenness not extensive in Massachusetts, . . . . .	59
No drunkard in Plymouth County Jail, . . . . .	59
No prisoner in Barnstable and Edgerton Jails. . . . .	59

**NEW YORK STATE REPORTS.**

A well prepared and well printed statement, . . . . .	59
The New York system is for money making, . . . . .	60

**SING SING.**

Employment of prisoners, . . . . .	61
How books are provided, . . . . .	61
Crowded state of the prison an evil, . . . . .	52
Occupation of prisoners before conviction, . . . . .	62

**AUBURN PRISON.**

Number and earnings of convicts, . . . . .	63
Cost of maintaining, . . . . .	63
Rations, . . . . .	63
Punishment, . . . . .	63
Chaplain's Report, . . . . .	63

**CLINTON PRISON.**

How a prison may appear profitable, . . . . .	65
Employment of convicts, . . . . .	65
Asylum for insane convicts, . . . . .	66

**NEW JERSEY STATE PRISON.**

Want of accommodation, . . . . .	66
Commutation Law works well, . . . . .	67

**VERMONT STATE PRISON.**

Not as profitable as desired, . . . . .	67
General fault of administration, want to make money, . . . . .	68

**MAINE STATE PRISON.**

Manufacturing to be conducted on a large scale, . . .	68
Good views of prison government, . . . . .	69

**FOREIGN.****FRANCE.**

Disturbance in France, prevent reports, . . . . .	70
Foreign criminals are sent out of the country when their sentence ends, . . . . .	70
Every convict and every foundling is cared for and noted in France, . . . . .	71

**ENGLAND AND WALES.**

Police and constabulary force, . . . . .	71
Statistics of vice and crime, . . . . .	72
Convicts increase, . . . . .	72
Number and costs of prisoners, . . . . .	72
Convicts chiefly native, . . . . .	72
Repeaters, males and females, . . . . .	72
Number committed, . . . . .	73
Costs of prisons, . . . . .	74

**LONDON POLICE MATTERS.**

Improvements, . . . . .	73
Number and extent of police force, . . . . .	74
Detectives, . . . . .	74
Police stations, . . . . .	75
Their uses and abuses, . . . . .	75
Police appointments permanent, . . . . .	75
Cabs, . . . . .	76
Betting houses, . . . . .	76
Enlargement of London, . . . . .	76
Importance of improved magistracy, . . . . .	76
Registry of "common women," . . . . .	77
How different districts are watched, . . . . .	77
Salaries of Police Magistrates and Officers, . . . . .	77
Whole cost, . . . . .	77

**THE EFFECT OF ARRESTS.**

Arrests and imprisonment often multiply crime, . . . .	78
Imprisonment of white and black women considered, . . .	80
Table, showing the change in the comparative number of black and white female prisoners. . . . .	81
Crimes of which convicted, . . . . .	81
Effect of elective magistracy, . . . . .	82
Consideration of the condition of black and white female prisoners, . . . . .	84
More caution necessary, . . . . .	86

**NEW WARDEN OF THE EASTERN  
PENITENTIARY.**

Proceedings of the Society with regard to the appointment of Edward Townsend, M. D., . . . . .	88
---	----

**WHAT IS YET TO BE DONE.**

Proposed amendment of the State Constitution with regard to the Magistracy, . . . . .	92
Qualifications of Aldermen, . . . . .	93

**NECROLOGY.**

Notice of SAMUEL CALEY, . . . . .	94
-----------------------------------	----

**CONCLUSION.**

Consideration of duties to be performed, . . . . .	97
Necessity of their performance, . . . . .	98

**APPENDIX.**

Prefatory remarks, . . . . .	100
Question of a paper for prisons, . . . . .	101
Kind of literature required, . . . . .	103
Consideration of the public press, . . . . .	104
Consideration of the religious press, . . . . .	106
Consideration of a special prison paper, . . . . .	110
Consideration of a mixed religious paper, . . . . .	116
Mode of dealing with prisoners, . . . . .	117
Gentleness necessary, . . . . .	118



# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T.

---

A JOURNAL, perhaps, should be a record of each day's proceedings, and some might hence infer that as the Philadelphia Society for Alleviating the Miseries of Public Prisons holds but four regular and one or two special sessions a year, and as its committees meet only once a month, a Journal would scarcely be a proper name for its Annual Statements. A "Year Book," or some name of that kind, might be supposed an appropriate title for its record.

Though the stated meetings are, comparatively, so few, yet the word "Journal" seems to express the character of the acts—for day by day is the Society in the field, by its Committee, its Sub-committee and its appointed Agent. The cells of the Penitentiary are resonant with the voice of the visitors of both sexes, who go to alleviate the miseries of the incarcerated convict and whisper consolation, while they convince of wrong.

Every day many of the cells of the County Prison receive the voluntary visitor, who goes by the appointment and in the name of this Society, to mitigate the mental sufferings of the prisoner and lead him, by kindness and candor, to allow his friend to make his detention a means of improvement.

No day is without this subject for record, and it is hoped that no day closes without some sound resolves among the men and women thus visited and thus admonished, "to cease from evil and learn to do good."

Every month insures to the Acting Committee a statement of what the active portion of its appointed representatives have sought to accomplish in their lonely labors, and these statements are enriched with accounts of the results of their efforts.

A minute statement of all these proceedings, the contents of a real "Journal," might interest many and instruct some, but it would be less consistent with the plan, than the present name of our annual publication, and might weary some, by its want of variety in successive years' statements.

The Society has never failed to operate in the channel and in the direction of its first movements, not always with the same instrument, nor always with the same agent, keeping always its simplest and, perhaps, its most useful organization of Committees, to visit prisoners in their cells, and deal with them personally. It has worked in enlarged spheres, and adopted and carried out plans for extending the benefits of prison visitations, and awaking at a distance a zeal for the cause of prison improvement; and associations have been formed as a

result of our labors, and numerous improvements have been made in prison structure and prison discipline in other States, that owed their existence to the labors of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

It is a beautiful part of the experience of this Society that it has been the occasion of other similar associations, some of which seem no less active than ourselves, and, perhaps, have gone further in their special walk than we, as a ball from a cannon travels further than the cannon to which it owes its motion and power. But the spirit of humanity, in regard to prison discipline, has had its home in our Society, and has never been "grieved" by opposition, nor chilled by neglect. Quietly and peaceably the good work has been prosecuted here, and moved and encouraged elsewhere. We have seen the work prosper in *our* hands, and we have seen it undertaken and successfully carried on by *others*, till at length that part of "Social Science" which is found in the plans of making prisons places of improvement has come to be of national consideration, and is made the subject of international correspondence and investigation.

The great work is thus going on. Men are obtaining and imparting information upon the great features of the work—and now volumes would scarcely contain the views and proceedings of Prison Societies, when formerly a few newspaper paragraphs told the whole story. In our gratification at the success that has marked the efforts of humanity in this direction, and the pride which we may fully feel that the movements have ob-

tained such gigantic proportions, we must not forget that the first effort and labor of the members of the Prison Society is toward the individual prisoner. God be thanked that plans of improved prison building and schemes of improved prison discipline, are occupying the public mind; but God be no less thanked, the proposals of improving the mental condition and of ameliorating the moral character of the individual prisoner, are being fulfilled, and that the single captive feels that he is not lost sight of in the great scheme which includes whole classes, or lacks application from the very multitude of those who are included in its theory. It is good in all these matters to ascend from individuals to classes, and to build a theory upon a well tested practice. It is safer at least.

The direct operations of our Society, by its own members, upon institutions and individuals abroad, were less extensive and effective last year than in some previous years. Two or three causes have tended to that result. One of the most important was the establishment by the Legislature of this Commonwealth of a "Board of Public Charities," which included within its circle of duties the supervision of the public prisons—as well the Penitentiaries, as the County Prisons, and other institutions, which the State authorizes for the restraint and improvement of those who violate the laws. That body has taken time for organization, and for obtaining that information which is necessary to the full comprehension of the exact condition of all the existing penal institutions, so that plans for *their* future

direction may be deduced from their capabilities of good in themselves and their administration.

This Society has looked with deep interest to the movements of the Board of Public Charities, and has had and improved opportunities to know the views of its members. The only fears to be indulged with regard to the initiatory proceedings of that Board, were those that related to the *time* of the movement. Never, in the opinion of this Society, was there required more careful investigation and protracted inquiry. *Festina lente* was the true motto for that Board, and we have no reason to think that any undue haste, or any too inclusive resolves have marked the labors of the members of that Board. The character of its members is a guarantee that mind and heart, power and affection are in the good work, and we await the presentation of the first fruits of their labors.

This Society considers itself largely instrumental in procuring the passage of a law authorizing the Board of Public Charities, and hence it naturally takes enlarged interest in the labors of that body.

Doubtless much alteration will be made in the management of prisons. As we have occasion to know that unfortunate events have caused changes in the whole system of discipline in the Western Penitentiary, we of course do not anticipate any adverse changes by the action of the State Board, but whatever changes may occur, whatever may befall the Pennsylvania system—should prisoners be kept separate or congregate, should even the old system of promiscuous herding be revived—this Society has only to lament the mis-

fortune, seek and apply a remedy if we can, but in the meantime, successful or unsuccessful in applying a remedy, it has the great work of seeking to "alleviate the miseries of public prisons," and to exert itself more and more, and exercise more and more of patience, as the changes may make its work more and more difficult. It is the man not the system that is to be primarily considered. The duty to visit the prisoner is not limited to a separate system, it has no special relation to large rooms, with hundreds of men, or small rooms, with one prisoner. Systems of discipline are only means which experience suggests for aiding the labor which tends to promote the great object—and those systems may change—but the great object itself, that of aiding the prisoner, remains, and the duty is only doubly enforced by the difficulties that attend its discharge. To that view of the subject we invite the attention of all who feel an interest in the moral condition of prisoners. Let them advocate the best system of confinement, and the best mode of discipline, but let them avoid the great error of supposing that their duty to the prisoner is limited by the character of the discipline which he is undergoing. The more the suffering, the greater it calls for aid. The more the association of the bad with the bad, or of the good with the bad, the greater the necessity for good, moral influence. The better the system, the greater the chance of success—the worse the system, the greater the demand for interference. We repeat the idea that while we are earnest advocates of the separate system, and its merciful administration, we are the more earnest advocates for merciful visitation of prisoners. The means

are valuable, yet only as facilitating the accomplishment of ends, but with no system for means. The end must be pursued—systems may perish—but the prisoner must be visited. It is well that this idea should be fully admitted. Our Society exists to alleviate the miseries of prisons—to ameliorate the condition of prisoners. It has plans for its own action, and systems for the government of prisons. We do not doubt that our plans are adapted to our own wants, and that the system of prison government and discipline which we approve is the best extant, and we hope they will prevail, but we know that our custom of special, personal attention to each prisoner, is the true one to promote his good, and make his restraint the means of his improvement. And should plans and systems all fail, the work is only increased, and the duty of doing that work is directly obligatory. The *heavier* the miseries of prisons are, the greater is the necessity for their *alleviation*. The *worse* the condition of the prisoners, the greater the demand for *amelioration*.

By theorists alone these ideas of the duties of labor are not entirely admitted, but the visiting members of the committee of this Society comprehend their importance, and direct their labors by the suggestion of duty, and with a constant eye to the great end of the amendment of the prisoner.

If the Society has less to record of its influences on other parts of the State and the Union, it is probably not because its movements have not been productive of good abroad, but rather that those movements are not of the past year's initiation, but the continuance of for-

mer efforts working now, by other instruments, but not the less by our suggestions.

The meetings of the Society have been held with prescribed regularity, and the direct action of the Committees and Agent have been profitable, and productive of much gratification, as they have been reported to the Society.

The meetings have lacked the attraction of earnest discussions of questions, because the year has been one of "waiting" for the results of former efforts, and especially of deference to the office of the new Board of Public Charities, that have taken some time for organization, and more, and justly more, to acquire a full understanding of the various institutions submitted to their supervision, and to consider what improvements can be suggested in their administration. No time is lost which is spent in these inquiries, and attempts at arrangement. It were better to postpone some really good measure, than to jeopard the good work by hasty conclusion. Awaiting the action or recommendation of the Board of Public Charities, and expecting much from the mature reflections, and careful inquiry of those that compose that body, this Society has confined itself much to the labors of its two sub-committees of action, and after the notice already made of what it has done and what forborne in its own assemblages, it now refers to the action of the two Committees.



## EASTERN PENITENTIARY.

A large portion of the Active Committee of this Society was detailed for services at the Eastern Penitentiary. It is a larger field for action, but it is a much more desirable field for labor. The separate confinement of the convict, with very few exceptions, makes the task of dealing with the minds and consciences of the prisoners comparatively easy, and especially hopeful. Here, too, the time of the imprisonment is usually very much longer than in the County Prison, so that the Visitor has an opportunity to deal with his client in the Scriptural style, "line upon line, line upon line, precept upon precept, precept upon precept, here a little and there a little," and thus saturate the mind with moral and religious truth, rather than fill it, returning to a lesson as circumstances suggest a repetition, and thus keeping alive each shoot that is transferred thither, and planting new ones—and invigorating all with timely irrigation and careful culture. Here often commences a friendship between the Visitor and visited that leads to the most beneficial results, it insures success to the virtuous efforts of the client, following him as a protective providence in his employments, removing doubts of success by a sense of a competent resort, and lighting up the hours that would have been dark and cheerless by the reflection on prison restraint.

Nor can we suppose that the friendly Visitor will be less influenced by the encouraging sense of success with

one whom crime or misfortune had thrown upon his care.

It is here that the Prison Visitor finds *one* rich reward for his sacrifices. And at moments of reflection upon his labors, he feels how much of their success has been due to the favorable circumstances in which they were performed. The most favorable is the separation of the convict from all other convicts, and from all influences that disturb the action of good advice and constant friendly monitions. So that the seed of truth may not be blown away by the winds of idle gossip, or choked by the thorns of bad conversations.

We have so often referred particularly to the mode of proceeding by the Visitors to the cells of the Penitentiary, that it is unnecessary to repeat the account, but none who have not seen the patient Visitor at his cell can appreciate the character and weight of his labors. Only those who have read the letters of the amended convict, to his faithful Visitor, can appreciate the value of these labors. In addition to the appointed members of this Society that visit the Penitentiary, there are several ladies who are constant and regular in their attention to the cells, and have a happy influence over the manners and conversation of the female convicts.

Since our last, Mr. Halloway, the excellent Warden of the Penitentiary, has died, leaving a good name derived from an irreproachable life, and a most faithful discharge of his official duties. It is gratifying to state that Dr. Edward Townsend, one of the Corresponding Secretaries of this Society, accepted a call to fill the place which was made vacant by the death of Mr. Halloway.

We have elsewhere in a copy of the proceedings of a meeting of the Acting Committee, showing the interest which the Society took in the appointment of Dr. Townsend, and its gratification at his acceptance of the office.

---

## COUNTY PRISON.

The members of the Committee on the County Prison made to that institution about seven hundred and fifty visits in the past year, besides about one hundred and twenty-five made by religious ladies, who go to the prison at the request of members of the Committee and Inspectors, and who labor earnestly, affectionately, persistently, and, in many cases, effectually to improve the condition of the females whom they visit. Copies of the Sacred Scriptures, Prayer Books, Tracts and Periodicals are supplied to those who can read, and are read to those who have not the rudiments of learning, and some are taught to read and write. This applies to the Female Department, where the number of prisoners is considerably less than the number of cells. The visits of the women to their own sex are looked for by the prisoners with much impatience, and any interruption of the regular course is specially lamented. And care is taken by many of these clients to study up their lessons, and prepare themselves for a good recitation so as to be entitled to another visit, and to additional advice, accompanied with commendations.

It is scarcely possible for those not familiar with the

habits of prisoners, to know how much the occupant of the cell longs for the coming of his regular Visitor, and how the heart sinks when, on the day appointed for visitation, some accident deprives the poor convict of her colloquy and customary lesson. It is the evidence of this bitter disappointment that makes the Visitor comprehend the *duty* of regularity and punctuality. Not to have assumed the office of Visitor, may have been no neglect of duty, but the assumption of that office, makes punctuality in its discharge an imperative duty.

In the fact that many desire the regular lessons of their Visitor, without showing, in their subsequent career, any considerable proof of improvement, many find an argument against these visits. This is evidently wrong. No one can expect to correct the errors of a whole community by even the best lessons and the most assiduous application, even when that community is of general good repute. How unfounded, then, is the hope of correcting all the errors of those who constitute a sort of community of offenders.

It is much to gain a few, to be able to point to one or two out of a host of wrong doers who have yielded to the lessons of affectionate admonition, and tried to amend—tried and succeeded.

But suppose at the end of any one year, the number of those permanently improved should really be very small, very small indeed, compared with the number of convicts of which they were a part; we had almost said, suppose that not one of the whole class alluded to, supplied a reliable instance of solid permanent improvement, and that the Visitor should be compelled to adopt

the disparaging language of the Prophet, "who hath believed our report." Has nothing been done in the cause of humanity? Have not many hours of the convict's time been redeemed from the waste of bad thoughts, bad conversation, bad resolves? Has not the gentle voice of the Visitor fixed in his mind lessons of virtue which may yet be fruitful? Who shall say that the prisoner that receives these lessons, and, at the end of his or her term, goes back to bad association and bad conduct, may not, in some hour of sickness, pain or danger call up these teachings, and feel again the warmth of heart which the lessons first inspired, and renew the broken vows of amendment and become a new creature.

The business of the Visitor to the prison, is to work, work, work—work with hope, work with prayer; work—how little so ever may appear the result of his labors to himself, the profit is certain—to the object of all these labors, they may in time become rich temporal results—in eternity, an eternal benefit.

In this spirit we see the Visitors to the male department of the County Prison giving themselves to the good work, and we have every reason to believe that large benefits are flowing to the prisoner thereby.

We have from time to time given instances of the good results of these labors, in the entire reformation and business success of the discharged criminal. But this success is greatly limited by two wants; the first, the want of a cell for each prisoner—a want not soon to be supplied, though perhaps not helplessly a want. The Grand Jury of the County has so often presented

the want of the accommodations of male prisoners in the County Prison, according to the provision of the act of Assembly, that we do not hope for any abatement of the evil in that direction, and experience shows that we are not authorized to suppose that the abatement is to be produced by any considerable number of convicts. But listening to the objection privately made to any extension of the County Prison, even though the lot for that extension may be used without cost to the city, we discover an objection not publicly expressed, but entertained and encouraged, and made formidable, by persons who think that the prison, where it now stands, is a barrier to the improvement of the city in a southward direction ; that it diminishes the value of the buildings that have been erected within a few squares thereof, and checks improvement below—improvement suggested by the course that business is taking, with regard to the facilities of the Schuylkill and the Delaware, near the confluence of these two rivers. It is not our business, nor our inclination to enter into any discussion of the question of sites for our penal and pauper institutions. Nor do we know that the existing County Prison and Almshouse, and the land that appertains to them may not be sold for nearly as much as would pay for the erection of an Almshouse, and County Prison of ample size, upon ground of any desirable extent. Our business is not with the site, but the accommodations of a prison. Not where it shall be placed, but how it shall be constructed, and how conducted. There are certain relations between the court and the police stations, on one side, and the County Prison on the other, that ren-

der it important that they should not be too far from each other.

It would not be astonishing if at some future time, when the public begin to understand the prison question, and the city begins to have the means of new modelling its penal houses, it should be found expedient to erect and maintain a City or County Penitentiary, at some point a little more distant from the court-house, where convicts might work out sentences of six months to many years, as they now do in the male convict block of the County Prison—while a building not very distant from the Court-House, and Central Station, would contain the untried and those of small offence that are not sent to the House of Correction. This is an idea that wants elaborating.

The second great want, is that of means to help the discharged prisoner, after he shall have served out "his time." In the Eastern Penitentiary there is a provision for aiding the discharged convict, and the sum to be given is five or ten dollars, according to the distance of the residence of the prisoner from the Penitentiary. In the County Prison there is also a provision for certain discharged prisoners, but in neither case is the great object fully provided for. A few dollars is not all the discharged convict needs. He needs an object, and he needs assistance to attain that object. He needs a well defined and well understood end, and he needs the means to attain that end. He needs some confidence, some friendship, some interest, some advice, and some watchfulness, that shall follow him when he leaves the cell. He needs to feel a sense of responsibility to some one,

and he is now willing to acknowledge the duties of that responsibility, to one that has been the friend of his prison life, that has known the depths of disgrace, and has heard and answered him when "out of the depths" of that disgrace he has cried to him. There is a delightful feeling of gratitude and confidence in the prisoner who appreciates fully the services which the visitor to the cells has done for him, and there is an abundant and gratifying pleasure in the visitor as he sees the result of his own labors on behalf of the convict—and he is disposed to let his solicitude for the improved prisoner proceed beyond the cell. It is most true that no more do favors received encourage the hope of favors to come, than do favors given stimulate to additional favor.

This interest of the visitor in his client is, however, often a costly indulgence of good feelings, much time; and some other contributions of a temporary character are often quite as much as regular Visitors to the Prison can afford. Money is needed to enable him to assist the discharged convict to reach his home, or some point where employment may be obtained. Good advice is excellent, and recommendations to be industrious and honest are certainly valuable—but they amount to very little to the poor man whose demand for employment is denied upon the grounds of his recent imprisonment, or upon his inability to strengthen his appeal by an evidence of his continual good conduct.

This Society has some small funds, specially devoted to the needs of "discharged prisoners," and the income from those investments is promptly and most efficiently applied, chiefly at the Eastern Penitentiary. The money



used by order of the Society in this direction, for the convicts leaving the County Prison, is drawn from the general income of the Society and distributed with remarkable judgement and economy by the Agent. Much good is done to the prisoner leaving the Penitentiary and the County Prison by these funds—but *that* good shows how much more might be done by augmented means. We know that zealous philanthropic members of our Society have been turning their attention to the important branch of our labors, and we cannot doubt that they will be successful. It would seem to be a duty of those whose health, official relations, business occupation, or different taste may not move them to active exertion in the self-denying, practical portions of the labors of the Visitor to the Prisons, to second the efforts of such by supplying means to make those self-denying labors profitable in the future to the visited prisoner. That duty, we think, will be more generally and more abundantly performed, when its importance is better understood, and the views of the Society are shown to be entirely practicable in that direction.



## COMMUTATION LAW.

In our last Journal, we noticed the operation of the Commutation Law in the Eastern Penitentiary, by which convicts may, by continued good conduct, save or work out a certain portion of the time of their sentences. Since that time, the Legislature of the State has most

wisely allowed the application of that law to the convicts and sentenced prisoners in the County Jails, and more than forty each month have availed themselves of its provisions, and have saved from one month to three, or more.

The law operates beneficially, not only by allowing good conduct to shorten imprisonment, but by inducing good conduct that imprisonment may be shortened, so that the good conduct commences, perhaps, with the mere motive of getting out of prison, but we may hope that in many cases it will be continued from principle and habit combined. Of course there are instances in which the first use of the new liberty is to do what secures arrest and incarceration. But instances are more frequent where the released prisoner has used his liberty for the benefit of himself and family, and thus illustrated the good operation of the law. Many men are in prison for a considerable offence, but not from habitual violation of the laws; such persons are generally greatly benefitted in every way by the Commutation Act.

As these reports are of the views and actions of the Society in whose name they appear, and not of the prisons which the Committees of the Society visit, it has not been thought best to dwell on the statistics of the Penitentiary and County Prison, excepting where numbers and movements were connected with the labors of the Society. Each of the great penal institutions in this city presents admirably arranged statistical tables of the number, age, character and condition of its inmates, and these reports add much to the knowledge of prison

affairs—a knowledge becoming more and more valuable as Social Science is more thoroughly studied.

The number of convicts in the Penitentiary is between six hundred and seven hundred.

The number of prisoners of all kinds in the County Prison is about seven hundred and fifty (750). That number includes all grades, from the *man* convicted of murder in the first degree, to the miserable woman who is sent down for a noisy debauch. In the County Prison the number of male convicts rises or falls with circumstances out of doors. The number of female prisoners in the same prison has been reduced from the maximum of two hundred and eighty-two, or the minimum of two hundred and forty-two, four years ago, to an average of ninety (90), and it is confidently asserted that, if the same advantage of a full number of cells and constant visitation could be had in the male convict block, the number of prisoners there, might, in two or three years, be reduced in the same proportion that they have been in the Female Department.

---

## THE AGENT.

The Society is represented abroad by its officers, its committees, and by its Agent, Mr. William J. Mullen. There are attentions to be rendered to prisoners, which demand more time than the committee can command for such purpose, and which require a kind of attention different from that which a member of a committee is

willing to perform. In the cells the Visitor finds out the circumstances of the prisoner awaiting trial, and he may find also that the imprisonment is wrong, or that the offence is of such a character that it should be settled by some sacrifice, and can be settled by a little timely interference. The Agent is at once informed of the situation of the case, and he rarely fails to arrange the difficulty, and restore to a family the means and instrument of its support.

The Agent, too, visits the cells of the County Prison, and inquires into the condition of convicts about to be discharged, and he assists them with clothes and railroad tickets—or he obtains labor for them, in or near the city.

Mr. Mullen procures the settlement of two or three thousand cases from the County Prison every year. Some of these are, indeed, of apparently small importance to those who look at the amount of money involved, or the insignificance of the wrong doing charged. But what may appear a trifle to one, becomes gravely important to another, and especially do the *large* family of the laboring poor attach much importance to the restoration of the father to his liberty to earn bread, or to the discharge of the mother to her duties among her children, including all ages, from the infant at the breast to the half-grown daughter, that is in the midst of danger of which she herself has little idea.

When the settlement of a case is not desirable, from its importance in a legal sense, Mr. Mullen sees that no injustice is done to the prisoner for want of defence, by providing counsel. It is gratifying to the Society to

know that Mr. Mullen's services are appreciated by the Courts, and that the judges, while they approve of *his* labors, which certainly lessen theirs, have entire confidence in his integrity in the delicate offices which he undertakes.

Among the good works of the Agent, is that of selecting some of the several "Homes" in the city for females who need protection and assistance, those whose way of life has been unbecoming their sex, and whose miseries have induced them to listen to the advice of friends, and withdraw from the temptations of out-door life, and accept the hospitality and guidance of the House of the Good Shepherd, the Howard Home, the Rosine or the Magdalen. And in these retreats, strength has often been given to resolutions formed in the prison cells, and a decent womanhood has succeeded a disturbed and discreditable youth.

We shall subjoin a few cases reported by Mr. Mullen. They show something of his energy and perseverance, as they illustrate the character and the practicability of such charities as he promotes.

It is the business of some of the "Visitors" to the County Prison to discriminate between ordinary offenders and some imprisoned ones who seem by manner and language to have little affinity with a jail. They have only begun to do wrong, only commenced to show the danger of being without advice and restraint, and the shocking idea of a cell and the unpleasant concomitants of a prison life create a disgust for the course they have commenced. If *then*, at the moment when solitary restraint is commencing its work, some friend "breathes

through their lattice" words of sympathy rather than reproach, and suggests a house of reformation, or Home, where their own sex will deal gently, without reference to the past, they accept the proposition and are transferred from the prison to a "Home"—from the pathway of vice that leads to crime—to the pleasant ways of reformation, that lead to peace and happiness.

#### MR. MULLEN'S CASES.

NUMBER 1—Was the case of a woman who had been committed to prison upon the grave charge of arson. The principal witnesses against her were her husband, and a female who was in the prisoner's employ. It was sworn to by these witnesses that she asked for a match, and went up stairs and set fire to the house. The main damage that had been done, was the burning and destruction of her own clothing. She said that "she was not guilty, and was entirely innocent of the charge." As this seemed probable, from the fact that nothing was destroyed but her own clothing, which she stood in need of, and as her husband and herself had not lived happily together, and as an improper intimacy was said to have existed between the husband and the woman, and as these two seemed to be the only witnesses against her, for these reasons, the Agent investigated the case, and supplied her with counsel who ably argued the case before the jury, which resulted in the prisoner being honorably discharged, upon a verdict of not guilty. The Agent then instructed the prisoner to go to her home and claim the protection of her husband, and if he treated her unkindly, or refused to support her, to inform him that the Agent would accompany her to the Guardians of the Poor, and compel him to support her. All of this was done for the prisoner without any expense to this unfortunate woman. By this management on the part of the Agent, she was probably saved from a conviction and a sentence of from three to five years imprisonment.

NUMBER 2—Was the case of an Indian boy, about nineteen years of age, who had been unjustly imprisoned upon the charge of assault and battery with intent to kill. He had been sadly imposed

upon by his prosecutor, who had employed him in the country, to assist in bringing a drove of horses to this city. After the horses were sold, and he had completed his engagement with his prosecutor, he asked for the pay for his services, which was not given him. His employer treated him and made him drunk, then quarreled with him, and imprisoned him upon the above charge; the sole object of which seemed to have been to afford his prosecutor the opportunity of getting away from the city, without paying the poor fellow for his services. The Agent informed the Court of the facts in the case, and the prisoner was immediately released by the authority of the Court. The Agent then supplied him with sufficient money to enable him to return to his home in the country.

NUMBER 3—Was the case of a man who had been imprisoned upon the charge of breach of the peace. He had a wife and several children depending upon him for support, and his imprisonment caused them great distress. As the alderman refused to release him from prison, unless four dollars and fifty cents (\$4 50) was paid, his wife pawned their bedstead and such other articles as she could spare, in the hope of obtaining sufficient money to pay the costs. But in this she failed, as she realized only three dollars (\$3) from the pawning of her furniture. This sum she offered to the alderman for the release of her husband, but he refused to receive it, or to release the prisoner, until the whole amount of four dollars and fifty cents (\$4 50) was paid. She then informed the alderman of the distressed condition of herself and children, but it was of no avail. The Agent also appealed to the magistrate for the prisoner's release,\*but with no better success, as the whole amount of the costs was insisted upon, although the prisoner was wholly unable to pay it. When the Agent informed Judge Allison of the unreasonable demands of the alderman, and the distressed condition of the prisoner's family, the man was at once released by the authority of the Court, without any costs whatever being required.

NUMBER 4—Was that of a friendless German boy, about nineteen years of age. He came to this city from New York, about the time of the destructive hail storm. His trade was that of a painter and glazier. As so much glass had been broken by the storm, it

occurred to him that it would be well for him to come to this city, to get employment. Soon after his arrival here, he was engaged by a man to put glass in the sky-light of his premises, as well as in other parts of the building. After the price had been agreed upon that he was to do the work for, he invested all the money that he had, in the purchasing of glass to do the job. And when the work was completed in a satisfactory manner, the poor fellow asked for his pay from the party who had employed him. He was told that he would not receive any pay for the work that he had done, as some person had come into the house while he was at work there, who was suspected as an acquaintance of his, and stolen about as much money and jewelry as would have paid for the work that he had done. The prisoner then went to the Mayor's office, and complained that he had been cheated out of his pay. He was advised to sue the man for his money, which he did, and the man immediately sued and imprisoned him, on suspicion of having been connected with some one in robbing. As it appeared that there was no truth whatever in the charge that was made against the prisoner, and as it was evident that the charge was brought against the prisoner to deter him from demanding pay for the work that he had done, and as he was in a penniless and friendless condition, in this city, where he was a stranger, for these reasons the Agent pitied him, and appeared before the magistrate, at the hearing of the case, and defended him, and saw that the prosecutor paid him the full amount which was due him, as well as getting him to consent to the unconditional discharge of the prisoner, which he agreed to, providing that the prisoner would promise not to prosecute him for damages. As the prisoner was poor, and unable to carry on a prosecution, and as he wished to be released from prison at once, the Agent consented that the case should be dismissed upon these conditions.

NUMBER 5—Was that of a poor woman who had been engaged to do some washing for a family who employed her. A hair watch-chain, of but little value to any one but the owner, was missing and the prisoner was accused of taking it. The owner said that, "he had neglected to take it out of his vest pocket at the time he



put his clothing in the wash, and he felt sure that prisoner must have taken it." As it had been made from the hair of a deceased relative, he prized it very highly. With the hope of getting the prisoner to confess that she took it, he imprisoned her, and separated her from her little child, whom he retained in his house for a few days, but finding it rather troublesome, sent it to the Alms-house. As the prisoner declared she was innocent of the charge, the Agent called upon the prosecutor, and got him not only to consent to a settlement of the case, by signing a recommendation for a *nolle prosequi*, but he also offered to pay all the expenses of Court charges, and seemed to be heartily ashamed of the whole affair, and was exceedingly anxious to have the prisoner released. The case was settled with the consent of Judge Ludlow and District Attorney Sheppard. The Agent then assisted the prisoner in getting her child back from the Almsnouse. She was a woman of good character, and her prosecution was disgraceful in the party who instituted the suit.

NUMBER 6—Was the case of a young girl who was imprisoned upon the charge of breach of the peace. Her offence consisted in her asking for some assistance from a man who had led her astray when she was but sixteen years of age. He took her from the home of her respectable parents, and kept and lived with her for a period of five years. He then deserted her, and married another. As he was wealthy and in good circumstances, the prisoner thought the least that he could do, would be to give her some assistance to enable her to live. This he refused to do, and caused her to be arrested and imprisoned for annoying him. The Agent procured her discharge from the Alderman, by explaining her case, and by becoming bail for her to keep the peace for the future.

NUMBER 7—Was the case of an insane woman, who had been committed to prison, with her pretty little child, upon the charge of assault and battery. The Agent procured her discharge from the magistrate, and got him to consent to take her child and adopt it, as he had no children of his own. After this much had been accomplished, the Agent procured a certificate from the physicians

of the prison, testifying to her insanity, and after this had been certified to by an Alderman, had her sent to the insane asylum.

NUMBER 8—Was that of a man who had been tried, convicted and sentenced to prison upon the charge of larceny. This had scarcely been done, when the Agent discovered that the man was insane, and that he had previously been an inmate of an Insane Asylum, for a period of eight months. The Agent procured a certificate from the Prison Physicians that certified to his insanity and presented it to the Court, with a request to Judge Paxson to reconsider his sentence, and to allow the Agent to send him to the Insane Department of the Almshouse. The application was successful, the prisoner was released, and the Agent procured an order, and saw that he was sent to that institution.

NUMBER 9—Was an extraordinary case of oppression. It was that of a man who had been imprisoned upon a Sheriff's writ, issued from the Supreme Court. He was sent to prison upon the charge of trespass, for words that had been spoken by his wife, which was construed, by his prosecutor, into slander. No one pretended that the prisoner had said or done anything to the party prosecuting; but, as the law holds a man responsible for what his wife says and does, he was imprisoned because he was unable to get bail. His case was particularly oppressive, inasmuch as the words that had been spoken were said to be true. They were uttered by the prisoner's wife, in a moment of excitement, at a time when she was finding fault with the prosecutor, who was a tavern-keeper, for harboring her husband to the neglect of his family and business. The prisoner and his wife were both arrested for the offence, but the wife, who was the real offender, got bail and escaped going to prison. The object of having them arrested was to prevent the prisoner's wife from prosecuting the tavern-keeper for harboring her husband, and for threatening her, with a knife in his hand, and telling her at the same time that he would kill her if she did not leave his premises. This she refused to do, unless her husband came with her. The Agent interfered in their behalf; the counsel for the prosecutor and the Sheriff were seen, and the prisoner was

released with the consent of all parties concerned. In the opinion of your Agent, it would be difficult to find a more high-handed case of oppression; particularly so, as the prisoner's wife was a christian woman, and had a young babe who required her care, as well as her husband, who had neglected them.

---

## REVIEW

OF MR. TALLACK'S PAPER ON THE PRISON SYSTEM OF GREAT  
BRITAIN AND THE UNITED STATES.

The new interest manifested in the Prison question naturally calls forth the expression of various opinions upon every branch of the subject, as well with regard to the moral as the physical and social laws of this important subject. The publication of these opinions, if not productive of much good directly, in consequence of the want of information, or the prejudice of those who utter them, will nevertheless be of much benefit. They not only show the great extent of interest felt in the discussion, and therefore the great importance of the question, but they keep alive the interest, and provoke the better informed to replies that will correct the errors that are promulgated, and impart information necessary to a full understanding of existing evils, and of the means proposed for their correction.

The gentlemen who initiated the plan of the Convention in Cincinnati, wisely prepared for the wants of that Convention and the means of its usefulness, by requesting gentlemen in various countries to prepare essays on

branches of the prison question, and forward them in advance of the Convention, or to read their own productions before the assembled body.

One gentleman, the Secretary of the Howard Association in London, prepared a pamphlet on various branches of the subject, and transmitted, in advance of the Convention, printed copies of his work.

The author, William Tallack, Esq., has, it appears, visited some of the prisons in the United States, and speaks with a tone as if he would say, "I've seen and sure I ought to know."

It is always dangerous to be writing about the institutions of a country which we have only visited, or to accept the complaint *in* a country against the administration of local institutions. Our readers will bear in mind, perhaps, many laughable mistakes which foreign travelers have made in regard to the manners and customs of portions of the United States; and the friends and members of "the Society for Alleviating the Miseries of Public Prisons" will not have forgotten the bad figure which the late Mr. Dickens made of himself, and tried to make of the Eastern Penitentiary in some of his "irredeemable notes" on that institution. The novelist, in that attempt, as in some others of his efforts to describe customs, manners and institutions *out* of England, made himself ridiculous to those who know and respect truth, though he gratified many who love a flippant article that hits anybody but themselves. Mr. Dickens was a novelist, a writer of fiction, one whose *fancies* decorated facts with art, and made his statements about as much a representation of realities, as a modern dress is of a woman that wears

it. Dickens's false statement of the circumstances of the Eastern Penitentiary did the author no more harm than did his ingratitude to the toadies that fawned upon him at his first visit to this country, or the lovers of amusement that crowded to his readings on his second visit. Very few cared whether the Widow Bardell really existed, or was only an imaginary personage, representing what might result from certain combinations of circumstances; so those who read Dickens's notice of the Eastern Penitentiary, were satisfied that though it was not right with regard to that institution, it might be right with regard to the possibilities of others.

If that is an *excuse* for the small malice and ridiculous flippancy which marked the description of the Eastern Penitentiary and other things in this country, the excuse is the more admissible inasmuch as the author did not pretend to write for truth's sake, and his statements were not intended to instruct others, by truth, but to amuse them by fiction. The utterance of such misstatements was his "vocation." The existence of an object was enough; its decoration, its contents, its administration he claimed for himself. "Great is truth, and it will prevail," said the ancient Chamberlain; "Great is fiction, and it does prevail," is the modern rendition of the old text.

Mr. Tallack, in criticising the prison system in this State, seems to speak of the Eastern Penitentiary as the representative of the prisons of Pennsylvania, when anything bad is to be imputed; and the old Walnut Street Prison when anything good is to be noticed.

Among the remarkable mistakes of Mr. Tallack, is

the idea that the administration and discipline of the old Walnut Street Prison were better, more merciful and improving than those of the Eastern Penitentiary. Statements are made of rules and practices in the old Prison that can scarcely be well founded; for example: it states that long-continued good conduct was rewarded by remission of a certain portion of the sentence." Now that could scarcely have been, if by "a certain portion of the sentence" is meant a part of the time, the remission of penalties being a part of the constitutional prerogative of the Executive of the State. But while mercy is falsely claimed for the time past, it really is a part of the law and practice of the present time. Under the head of "Retrogression in Pennsylvania," Mr. Tallack quotes the report of the Massachusetts State Prison, for 1870, and declares that there is a relaxation of discipline in the Eastern Penitentiary, because prisoners are confined "two and three in a cell."

Now the essence of a statement consists in telling not only the truth, but the *whole truth*. "The suppression of truth is equal to a falsehood." And when that statement was made, undoubtedly there were cells in the Eastern Penitentiary containing more than one convict—but it was well known, because it was as widely stated as was the fact of two in a cell, that only a few of the many hundred cells were unlawfully occupied; and it was well known that the cause of the departure was the sudden and unforeseen influx of convicts, consequent upon the breaking up of the army, and it was also known that the work of increasing the number of cells was at once begun.

The general discipline of the Eastern Penitentiary was not changed by the compulsory admission of more than one prisoner in a single cell. The few cells that had two convicts in them were considered as exceptional. The circumstances of the convicts therein were specially regarded, and while the few convicts thus unlawfully held, were carefully visited by officers, and by those who attend the Penitentiary, for moral and religious purposes, the great number of convicts that had separate confinement knew nothing of the departure from the rules in regard to the *few*. Their condition in all respects was the same as it had been, so that the slight departure from the established system had no influence on the great body of convicts, and could not be considered as a "retrogression," or a change of plan or administration.

Mr. Tallack may justify his presentation of such a statement by referring it to the Report of the chief officer of the Massachusetts State Prison; but why should the report of the Massachusetts State Prison be taken for information touching the Eastern Penitentiary of Pennsylvania, when the Inspectors of the latter prison issued in March, 1870, and in the March of every preceding year, a Report of the situation, condition and management of the Prison under their care, with ample details and arguments relative to all its circumstances?

But it will create a smile among the members of the Society for Alleviating the Miseries of Public Prisons, to hear the prison discipline of the good old times of the last century set down as more merciful and more improving than that of the present time, and Walnut

Street Prison taken as the exponent of the mercies of the past, and the Eastern Penitentiary as the exponent of the cruelties of the present. The stripes, the chain, the labor in ball and chain in the street, of the old regime, considered as more merciful, more improving than the separate labor, constant moral instruction and palatable food of the present prison discipline!!!

Mr. Tallack says, after some quotations that regard local efforts, and local condition; "It is a matter of regret and surprise to perceive, by the confessions of eminent Pennsylvanians, that that State which was once a light to the world, in reference to criminal treatment, has so '*retrograded*,' even from its first principles of prison discipline, and has suffered itself to be outstripped by Massachusetts, New York, Maine, Michigan, New Hampshire, Rhode Island, and other States."

Now we know of no eminent Pennsylvanian that holds or expresses any such view. We know that the situation of prisoners throughout the State is far superior to what it ever was before; though we know that in many counties the good work of prison improvement has but little advanced, and in some, where it has made progress, it needs acceleration and direction—but it is generally in advance of other States. And its great Eastern Penitentiary stands forward now as the first and best penal institution in the world, and has in its plan and discipline all the elements for improvement which experience may suggest, with such a *personel* as will ensure a merciful fulfilment of the sentence of the Court, and lead to and aid in, the adoption of resolves for improvement by the convict.



The number of prisoners has increased. This is set down as proof that the system has failed—but, more than that, it is said that the number of *recidives* (we use the French word for those who have been *repeatedly* convicted) is increased. We cannot say that such may not be the case, and that the number of that class may not be greater here than in Massachusetts. If the writer whose pamphlet we notice had examined the statistics of Prison Report, he probably would have found some explanation of the matter. The Massachusetts State Prison is proportionately more largely supplied with natives than is the Penitentiary in this city, and with those whose connexions in society assist their resolves to good; while the foreign population, that have broke loose from the prisons of the Continent, and graduated with a “ticket-of-leave” at the prisons of Great Britain and Ireland, seek the Middle States, to commit their depredations and repeat their penitentiary residence.

Before quitting this branch of the subject, especially with regard to repetitions, we wish to correct one error into which Mr. Tallack has fallen, viz., the greater number of repeaters in the Eastern Penitentiary, as compared with that in the Massachusetts State Prison. The statistics for about ten years past show that the number of convicts in the Eastern Penitentiary of Pennsylvania, who are undergoing a second or third punishment in that institution, is about eight per cent. of the whole number, while for the same period the Massachusetts State Prison has above thirteen per cent. of *recidives* or repeaters. How many of these repeaters

in our Eastern Penitentiary are graduates of the Massachusetts State Prison we do not know.

We state these facts, as connected with and strengthening, the argument used above.

If Mr. Tallack had taken the Report of the Inspectors of the Eastern Penitentiary of Pennsylvania, made in March, 1870, as the ground upon which to judge of the condition of that institution, and the influence of its discipline on its convicted inmates, he might have better judged what he was censuring, merely from a statement by the Warden of the Massachusetts State Prison, who probably had never seen the Report of the Eastern Penitentiary for March, 1870, which the English writer thinks was used for comparison.

Mr. Tallack takes the statement of the Agent of the Philadelphia County Prison relative to the number of prisoners, as proof of the vast increase of crime. That may be in part the case, but there are other elements to be taken into consideration. If the fishermen on the coast catch more fish this year than they did ten years ago, it *may* be because there are more fish, but it is quite likely that it is because there are more fishermen. And to prove that crime increases in Philadelphia, the writer presents the remarks of a most estimable Judge, viz., that many boys and other young persons are committed to prison. If boys were not committed twenty years ago, it does not follow that they did not commit the crimes—rather that they were not arrested.

Upon the subject of the *effect* of arrests upon the character and condition of the arrested, we shall offer some remarks in another part of this journal. Mean-

time, we mean to lodge a *caveat* against a too hasty conclusion that vice is much more multiplied, simply because more vicious persons are arrested.

Mr. Tallack is evidently a friend of the separate system in prisons, and much of his censure upon the Penitentiary in this city springs from his idea that the system has been abandoned there, while the fact is, that for a time the great pressure compelled a suspension of the rule of separation *for a few cells*. An increased number of cells has greatly relieved the institution, and the Penitentiary will soon be the exponent of the separate confinement system, which Mr. Tallack justly says is the *sine qua non* of efficient prison discipline. "This," continues Mr. Tallack, "at any rate, is a fixed principle, admitted to be such, after ample inquiry, by parliamentary committees and missions of investigation." That is a good idea, earnestly and plainly expressed. But Mr. T. puts in occasional qualifications, which destroy the force of his admission, or make his admission valueless. He adds, with reference to the admission of its advantages, the necessity, indeed, for separate confinement, the following: "Yet like other fixed principles, it (separate confinement) must be adopted apart from the falsehood of extremes." That is a platitude, a mere truism, which amounts to nothing. Of course, excess and falsehood of extremes must be avoided. But Mr. Tallack adds: "Separation, total, by night and day, speedily produces madness or imbecility, or at least renders the mind morbid and flabby."

Mr. Tallack is criticising the Pennsylvania system as practised in the Eastern Penitentiary. Now, if he

means that that system, administered as it is there administered, he asserts what the experience of the Eastern Penitentiary for many years fully contradicts. The able report of the Board of Inspectors of that institution, issued in March, 1870, disproves any such assertion, and the experience of prisons conducted most on the separate confinement plan, is exactly that of the Eastern Penitentiary with regard to the effect of discipline on the minds of convicts.

Mr. Tallack says, "The main source of Pennsylvania retrogression in prison discipline has been a departure from previous adherence to due separation, and a relapse of placing several men in each cell by night and day."

We repeat what we have previously stated, that the necessities of the cases compelled the Inspectors of the Eastern Penitentiary to receive a few more prisoners than they had cells. The evil only extended to those few who were placed together. The great number of the convicts were not affected by this infringement on the general plan. They knew nothing at all about the few cells that were occupied by two convicts. There has been no retrogression in the discipline of the Eastern Penitentiary, and the departure from previous adherence to due separation should not be regarded as any change in the plan of conducting the institution.

Mr. T. appears at one time to refer to the Pennsylvania system as one of solitary confinement, which debars the prisoner from all intercourse with his fellow-being. We need not now stop to correct at large such an error; it suffices to state that the convict in the Eastern Penitentiary is separated only from his fellow-

convicts. He sees his relatives and friends at times—his moral visitors every day; the moral instructor as often as possible, and the Keeper or the Warden many times a day.

The fault which Mr. Tallack has committed resulted from the want of knowledge of the prison system as it is practised in the Eastern Penitentiary of Pennsylvania. He looked to the report of the Warden of the Massachusetts State Prison for information about the Eastern Penitentiary, or rather, he found in the Massachusetts reports that which is not sustained by the reports of the Pennsylvania Penitentiaries.

Mr. Tallack is exceedingly severe upon the want of “merciful consideration” so frequently manifested in Great Britain with regard to convicts. We are unable to judge exactly of the correctness of these censures, because we have no personal acquaintance with the facts to which he refers, and know nothing of the circumstances by which they are affected.

Mr. T. seems to think that England punishes with too great severity, crimes against the property of individuals, and is lax with regard to the infliction of legal penalties upon the man who leads a female into impure acts. That may be the fact. We have only to say that the man who thus offends deserves, at least, all the punishment which the laws of England and the United States provide for such offences. But we are to understand that parties in certain cases may settle their difficulties often with less injury to the sufferer than the exposure of a lawsuit would procure. No doubt great wrong is smoothed over in England by the influence of

noble connexions, and in this country by the power of wealth. We have nothing to say in favor of this; we join in condemning the crime, and equally condemning the laxity that prevents the punishment of the crime. But the administration of the law by the Court is not the question of prison discipline. We discuss the execution of the sentence pronounced by that Court. We are not directly concerned with the arrest and trial of the *accused*. Our business is with the punishment and improvement of the *sentenced*. Humanity has its mission in various directions; it will aid the whole cause, to keep each part to the proprieties of its special action.

Mr. Tallack adopts as a motto, "Circumstances make guilt." Let us endeavor to correct the circumstances before we rail against the guilty."\*


It is rather dangerous for a Christian philanthropist to select a motto from Bulwer's writings. That versatile genius was wont to make axioms to suit circumstances, rather than to mould circumstances by good axioms. But the axiom is good, moderately applied. Mr. Owen, of Lanark, applied it immoderately, and justified the offender by showing what he might have been under other circumstances.

Undoubtedly we are all influenced by circumstances, but under no circumstances must the decalogue be violated. We cannot admit the doctrine of the great influence of particular conformations which Mr. T. proclaims. Nor do we think that the worst and greatest

---

\* Lord Lytton, formerly Edward Lytton Bulwer.

number of convicts are influenced to crime by an original feeble constitution.

Under the head of the practicability of reformatting criminals, Mr. T. refers with commendation to the rule in some English prisons, of compensating the convict for labors performed by him, and he quotes a severe censure upon the Government for its unwise order to abolish these compensations. "The order is *unwise*," says the magistrate, "*because the inevitable result is the retention of a highly dangerous class entirely in this country.*" And Mr. T. adds: "The extensive facility of emigration afforded to Irish convicts is found to be most beneficial, and ~~it~~ *indeed constitutes the primary and characteristic source of the diminution of convicts in Ireland.*" 

How often has the writer of this article called the attention of the reader of this Journal to the real practical end of that part of the Irish system which is denominated "ticket-of-leave," and year by year has it been proclaimed in this periodical, that the result of the Irish system was to provide ways and means for the convicts to get out of England and Ireland, and reach the United States. Mr. T. here confirms our oft-repeated remark, and as he is writing about home matters, he must know not only the motive, but the result, of a system that supplies our country with criminals almost as regularly as Manchester supplies us with cotton fabrics. Undoubtedly, in both cases, our home production might be stimulated into ample supply.

We have been free in our comments on the pamphlet of Mr. Tallack, because truth is of vast importance in

an argument that touches the interest of all classes of citizens. Mr. T. has also shown his appreciation of candour by the freedom with which he has expressed his views, founded on what he, without doubt, considered fair statements. We owe it to Mr. T., and to ourselves, to say, that while, in some of the statements, Mr. T. has erred by depending on Massachusetts Reports for Pennsylvania affairs, and has created a smile by declaring that the prison administration in this city was better before the opening of the present century than it is now, he has evidently written his pamphlet in the spirit of the purest philanthropy, and many of his suggestions are evidently worthy of note; and while we censure some portions for the inaccuracies into which the author has been led, by want of thorough knowledge of facts, we thank him, in the name of humanity, for the zeal with which he enters into the argument, and the information which he gives of practices and teachings within his own observation, and we present the concluding paragraph of Mr. T.'s pamphlet as a beautiful synopsis of his views on prison discipline :

“In conclusion, it may be repeated that, whilst the deterrence of criminals is a principle justified by necessity and warranted by Scripture, within due limits, and whilst justice to the virtuous and peaceable citizen requires the treatment of the evil-doer to be really a punitive one, yet the great, and, it may be truly said, the overwhelming, proportion of poor, ignorant, neglected, and physically or mentally defective persons, in the ranks of offenders, demands much more practical consideration from the framers and administrators of the law than it has hitherto, for the most part, received.”



"It is not given to the wisest human judge to pierce the motives and weigh the temptations of the erring. Whilst seeing the effects of dominant evil, he, in general, "knows not what's resisted," nor can he measure the real amount of extenuation. Hence, whilst inflicting penalties which ought to be "a terror to evil-doers," two other duties are equally to be borne in mind: firstly, to restore the offender to liberty, with really *altered habits*; and, secondly, to render to society some, if not complete, amends for the injury which it has sustained. Happily these two results are not merely compatible with deterrence and prevention, but are, when most efficiently administered, *the very best forms of securing these important objects.*"

---

## CASIERS JUDICIARES.

Those who frequent the criminal courts must observe that, as a general rule, the administrators of the laws are much influenced, in the preparation of a sentence upon a convict, by the fact that he is in the "dock" for the first time, or that he is a "peater" of the crime of which he has just been pronounced guilty, and upon the verdict resulting from his trial he awaits the judgment of the Court. Nothing can be more natural, and apparently nothing more consistent with the intention of the law makers, than that the punishment of a criminal should be measured by the disposition which he has manifested to do wrong. That while the trial of the accused should be only for the crime set forth in the indictment, the *animus* of the criminal should be in some measure inferred from his antecedents in regard to crime, generally, but especially with regard to the particular

class of crime to which the offence for which he is now tried, may belong.

The man who has lived a life of crime in England, and has been released from the Penitentiary of that country, or from the penal colonies abroad, upon "ticket-of-leave," ought not to expect a degree of leniency on conviction of crime *here*, that might be fairly exercised towards one known to have avoided crime prior to the act for which he has just been tried. And this seems correct. We would not have a man tried for one crime and punished for another—but we cannot doubt that the intent of the accused in the present act may be inferred from his antecedents.

Often when there is hope of acquittal upon any grounds, we see the advocate and the friends of the accused hunting up testimony of "former good character"—often the whole case becomes affected and lost to the prisoner, by some unfortunate development of previous malconduct. We are not to lose sight of a great truth that concerns all criminal trials, viz.: that there are two parties to the suit. It is not alone the prisoner at the bar that is interested in the verdict of the jury. He certainly is concerned in the result of a trial that may consign him to ignominious death or protracted incarceration. But there is also a great public deeply interested in striking terror into the minds of offenders at large, by a lawful punishment of the offender that is on trial. The second party is often overlooked and its interest disregarded. "The poor fellow at the bar," it is said, "has probably done wrong, but what good will it do the community to have him shut up in a prison, while his family needs his services?"

This is usually the appeal of badly informed philanthropists, who seem to overlook the fact that the community, whose interests they so lowly estimate, is composed of individuals, each one of whom is liable to suffer by the depredations of lawless men, and that one rogue let loose may bring suffering to many individuals, who help constitute the public.

Punishment by the law is not merely legal vengeance. Men are not sentenced to the Penitentiary merely because they have stolen or counterfeited, but also because the community naturally desire that men should not steal nor counterfeit. The community is right—the thief and counterfeiter are wrong. Their liberty endangers the community, and the right party has a right to protect itself against the wrong. One means of that protection was some time since adopted in France, and seems to be regarded as very effective and worthy of extension. It is known under the title of

### CASIERS JUDICIARIES,

and is the result of the labors of M. Bonneville de Marsangy, whose name and whose services in the cause of prison discipline are known to most of the readers of the Journal. These *Casiers* were established in France, in January, 1851, and have been found to produce great benefits in the administration.

*Casier* means chest—compartment, or division. As we have scarcely any word in our legal nomenclature by which to translate *Casier*, we will adopt the French word, and give some explanation of the plan.

The object of these *Casiers* is to have registered therein the facts of each criminal case tried in the court to which the *Casier* belongs, so that if the convict is presented a second time for trial, and found guilty, he may have his motives a little measured by his antecedents.

But these *casiers* are the common property of the judiciary of the Empire, and when an accused is brought before the Criminal Court in Marseilles, either the prosecuting attorney or his own advocate may ask from the *Casier* of Paris or of any other place from which either party may desire information, the record of the *Casier* with regard to the prisoner. Of course neither party would make such a demand unless it was known or believed that some information favorable or unfavorable was to be had there. The prisoner, on trial in Marseilles, may have been before the Criminal Court in Paris, if he was acquitted and nothing unlawful was proved, it may be to his interest to have that fact stated. He may have been found guilty of hienous crimes on that trial, and the prosecutor may strengthen his case by presenting a record of the fact.

With reference to allowing the fact of a former trial to affect the result of that in progress, M. Bonneville says: "The magistrate whose duty it is to pronounce upon every infraction of the penal law, has always a double duty to discharge—to weigh the fact in itself, to examine afterwards the morality and the antecedents of the actor, and it is only after having devoted himself to this double appreciation that he is able, wisely and discriminately, to consider the scale of penalties, and to pause on a salutary repression."

M. Bonneville proposed another plan, an infallible means of enlightening the magistrate upon the antecedents of the accused. This was the localization in the Registry of the *natal* arrondissement (or Court Circuit) of all the judicial decisions concerning each *convict*; and, thanks to that means, every time that an individual appeared before the tribunal, nothing was easier (the place of birth being known) than to procure the most reliable information relative to his morality and general antecedents. These *Casiers* seem to fulfil in France all the promises made in their behalf, so far as regards the judiciary. Practice has improved them, and most persons connected with the Criminal Court of France, recognize the great utility of the scheme. But it seems that other benefits are promised, perhaps they have accrued from these *Casiers*, than those immediately connected with the Criminal Court.

The author of a work in French says: "The principal object of these *Casiers* is to enlighten the Courts upon the antecedents of individuals brought before them, but that is not the only utility; to establish the situation, moral and judicious, of each citizen called to discharge the functions of a jurymen or to exercise the right of an elector; to allow of the verification which men who present themselves for places in the army are not affected by any legal incapacity; to instruct as to the right and qualities of individuals who seek employment in the State; to guaranty families from the bitter regrets so often experienced in looking back upon the confidence which they have incautiously bestowed upon unknown adventurers who have sought alliance with

them ; to secure private citizens with regard to the bad faith of those with whom they may transact business ; to assure, finally, the merchant, companies and industrial associations, as to the probity of their agents and employees, and these services are daily rendered by these Judiciary *Casiers*. Not only are they a source of precious and valuable information to the Courts, but all members of a nation find in their establishment a sort of moral security."

While great praise is bestowed upon these *Casiers* in all their application to cases in France, it may be doubted whether their utility in this country would not be confined to the interests of the Criminal Courts. An accused in the dock might not be permitted to complain of the transmission of the records of his former crimes from one court to another, to influence a judge or jury ; but the business man might cry out against this record of espionage that touches his credit on 'Change. Though there are in the country several offices in which are recorded what is known or suspected of business men's credit, and money is paid for the right to examine or to receive a transcript of this record for business purposes. Still less will the young gentleman on matrimonial affairs intent, be gratified with the knowledge that his chances of success depends on the statement of the *Casier judiciaire ou matrimoniale*.

And quite as much mischief has been done in social as in mercantile life, by deceptions which these *Casiers* are intended to prevent or expose, and either of those conditions have been affected by want of information, quite as much as has public justice in our criminal

courts. Certainly the French author argues strongly in favor of the *Casiers*, with regard to all the interests which we have noticed.

We have spoken above of what is meant by *Casier*, but as it is probable that from one or two circumstances the question of the creation of such a branch of judicial business may occupy the public mind, we translate a short description of the plan :

“ A *Casier*, in the proper sense of the word, is a collection of little cases or compartments, of regular form, all of one height, breadth and depth. A large press, or closet, in the form of the *Casier*, is placed in the office of the clerk of each tribunal of the first instance (the lowest court), in a position the least accessible to the public, and as far as possible in the places in which are kept the record of the court. In each one of the compartments, or boxes, or divisions of this armory or press, answering to the letters of the alphabet, are received and classed alphabetically, the bulletins containing the sentence pronounced against each individual born in that arrondissement or court district.

It is important to add that, with a view of facilitating examination, all the papers relative to the same person are placed together in one enclosure, bearing, as a superscription, the name of the sentenced person.

Further the order of dates should be observed in the partial classification, in order that the extracts destined to make known the instruction furnished by these *Casiers* may fully present the statement of the prisoner's condemnation in chronological order.

We derive our knowledge of this scheme of *Casiers*

from a volume of four hundred octavo pages, from the pen of O. Despalys: "Substitute du Procureur General pris le Tribunal de Reims." The author has a full knowledge of the operation of the scheme as practised in France and Italy. Portugal has commenced the work, and Austria, Bavaria, Switzerland, Wertemberg, are about to give it a trial.

It seems to work well in France, and the author anticipates its good effects in the United States, in which, he says, several societies, established with regard to the progress of legislation, have requested from M. Bonneville further explanation and exposition. And the author says the answer to their request was delivered to an association in 1868, and it is added, "The question of *Casiers* is now undergoing consideration in the United States, and we may hope that it will be carefully examined and soon applied."

The system of *Casiers* is, the writer believes, applicable to all nations that have a judiciary, and the system could be made international. We are not prepared to advocate the measure, but one which promises so much good, and of which so much good is already reported, is certainly deserving attention. There will always be a difficulty in adapting the judiciary measures of other countries to the wants of our own people. The federal character of our government renders it difficult to make co-operative the judiciary of various States. Still the cause of justice and the cause of mercy are always worth attention, and if some parts of the French system may be considered as inapplicable in this country, by the difficulty, if not the *wrong*, of palliating the crimes, and



the errors, and even the criminal misfortunes of individuals, that which is strictly "*judiciary*," and which bears only upon malefactors, may, at least in large States, be found beneficial.

---

## PRISON MATTERS IN THE UNITED STATES.

### MASSACHUSETTS.

We have received and read the Sixth Annual Report of the Board of Charities of Massachusetts. It is a beautiful volume of more than four hundred pages. We like to notice the liberality which provides good printing for public reports. It shows that a proper estimate is set upon the matter reported.

This Report, besides statements at large of the situation and working of all the institutions to which the State of Massachusetts contributes either the whole or a portion of the means, contains elaborate and masterly essays upon the subjects of the Report.

We observe that there is in Massachusetts a growing disposition to place paupers and lunatics and some young clients of the public in families, in preference to asylums. No doubt that would be a great improvement, if humanity and science could direct the new members of the family, but experience in this State, with reference to paupers, would seem to discourage such a course.

The Massachusetts State Prison at Charlestown is represented as not only paying its own expenses from the labors, of the inmates, but really adding to the income

of the State. That may be—must be, as it is so stated—but in looking over the statement of expenditures and incomes in the County Prisons, Houses of Correction, &c., we notice that the balance is on the other side. For example, the New Bedford Jail and House of Correction seems to employ the prisoners not only *in* but about the prison, and the receipts on account of the labors of prisoners, are \$9,900 02 (the highest with the exception of the Boston House of Correction), yet the whole expenditures of the New Bedford institution, noticed above, are \$29,993 11; leaving a balance against the place of \$20,093 09.

The State Prison is said, by some persons, to yield a profit of about \$18,000 by the contract system. We do not learn that the convict shares, in any way, in the profit of his labor, as he does in the Eastern Penitentiary of *this* State, and in the Philadelphia County Prison. But on examination of the official Report, we find that there has been no such profit. On the contrary, from the year 1850 to 1859 the dead loss, the balance against that State Prison was \$105,675 43, and from 1860 to 1869, \$123 20. These are large changes, and in the right direction; but there may be a change, in the decade before the great loss, that is from 1840 to 1850, the loss was only \$8,744 24. But while the State Prison is said to be profitable by the work of the convicts, we notice that the Boston Jail and the House of Correction give a very different statement of their balance sheets. For example, the House of Correction, where so much work is carried on, is kept up at an annual deficiency of \$11,599 00, and the Jail, where no

work is done, at a dead loss of \$28,404 15. No County Prison or House of Correction in Massachusetts is self-supporting.

*Drunkenness.*—We feel, as all do, an interest in the progress of attempts to stay the scourge of drunkenness in our land, and we then turned to the tables to see what drunkenness had done to swell directly the list of prisoners in Massachusetts.

We notice that the whole number of drunkards in all the various kinds of prisons—Work House, House of Industry, &c.—in Massachusetts, on the 30th of September, was 797, of whom 329 were women, rather a large proportion; of these, the County Prison of Boston had 55 men and 22 women.

There was not a single drunkard in the Prison of Plymouth County, and the Prisons of Barnstable and Edgarton were without prisoners of any kind—a proof of good morals among the people or independence in the magistracy.

The perfect organization of the Board of Charities of Massachusetts, its experience of several years, the homogeneous character of the people, with perfect sympathy between the Capital and the State insure to the Charities of that Commonwealth good direction and able historians.

## NEW YORK STATE REPORT.

Among the reports of prison proceedings which we have read, is a volume containing the Annual Report of the Inspectors of the State Prisons of New York, for the year ending September 30, 1869. Before we make any

note of the contents of this volume, we cannot refrain from remarking upon the style in which the work is brought out, handsomely printed, on good, white paper, with an engraved title page, and several engravings; the first, a representation of the Sing Sing Prisons, and second, a view of Auburn State Prison, third, a view of Clinton State Prison, and fourth, a view of the Asylum for Insane Convicts, in Auburn. These are handsome additions to the book, and are instructive to those who would fully comprehend the means of carrying out the prison system in the State of New York. We wish the new volume, with its handsome binding, well executed illustrations, good type, well set, and fine paper, could find its way into the hands of those who direct the public printing in the States generally.

The system in New York is to make as much money out of the labor of convicts as possible, and of course the author of the "reports" of any one of the State prisons in that State, presents as boldly as possible, the amount which the labors of the convicts have enabled the wardens of the prisons to deduct from the gross cost of maintaining the institution.

We notice that the daily expense of maintaining individual prisoners in Sing Sing, is fifty-eight cents for men, and fifty-four for women. Among the expenses of this prison is \$1,268 42 for "pursuit of escapes," for the month of October, 1860. The salaries of the officers and teachers amount to \$7,438 93 per month, and sometimes a hundred dollars more. After deducting the total earnings of the prisoners, the balance against the State was, in 1869, \$86,783 45.

In the Sing Sing Prison, the 1,247 male convicts are thus employed, viz.: in manufacturing shoes, 276; saddlers' hardware, 155; cabinet ware, 99; malleable iron, 68.

Manufacturing stone and lime, 208.

Working about the building, nurses, clerks, and general service, 383.

Patients, invalids and cripples, 58.

There are 122 female convicts, employed in ordinary prison service.

The Chaplain, in his report, bears testimony to the great value of kindness as a means of amending the lives of the convicts. He says: "I may be permitted to add my humble voice to that of those who claim that the reformation of prisoners can be achieved, if not only, at least better, by the power of kindness, by a religious and moral influence, extended not merely by empty words, but in practical, moral assistance, when needed."

As a means of permanent improvement, the Chaplain suggests: "Not only should religious books and tracts be placed frequently within the reach of the convicts, but such other useful books as are calculated to enlist their interest and create an appetite for reading. The Chaplain states that religious associations of different denominations supply reading to the prison, of books and pamphlets of a special adaptation to the cases of certain of the prisoners. And the Society of St. Vincent de Paul, of New York city, supplied 300 volumes—and the American Tract Society contributed 600 tracts per annum.

The Chaplain thus speaks of the effect of associated confinement :

“One great source of evil to which I may be permitted to refer, arises from the crowded condition of the Penitentiary.” He then speaks of the evils from associating young and old offenders—and those of many crimes with those of few offences, and he shows that the conversation of cell companions is usually about crimes which each may have committed or known of, and efforts to escape, &c. In *our* opinion, the true way to avoid all these evil results of associated cell life, is not to “sort out” the prisoners and put them up according to age, or advance in crime—but to separate them entirely. The best prevention of bad conversation is to separate those who converse badly. The Chaplain earnestly recommends additional appropriations to aid discharged prisoners.

We were struck with the statement of occupations of prisoners before they entered the Penitentiaries.

There were a vast number of “quarry men,” all of whom could be employed *en metier*,—and so with most of the convicts—but there was one deputy sheriff, who could not serve writs there, and *four* “*do nothings*,” who could not be employed in their former profession, as they are sentenced to *hard labor*.

This “do nothing” profession is a wonderful promoter of prison population.

#### AUBURN PRISON.

This is a large prison-house, having an average of about 930 convicts. Many of these are employed on

contract, by manufacturers, and earn from forty to seventy-five cents a day. The average earnings is about \$10,000 a month. The salaries of the officers amount to \$5,315 a month, and the current expenses of the place are nearly \$1,500 a month.

It would seem, from a tabular statement, that the rations cost about fifteen (15) cents a day. There were admitted to the prison, in 1869, four hundred and twenty-four (424) convicts, and there were discharged four hundred and twenty-five (425) in the same time—a remarkable approximation of numbers considering that many had undergone very long imprisonments.

We notice, among the miscellaneous expenditures, four hundred (400) dollars for counsel fees.

Among the rations for one month were, molasses and tobacco, \$108.34; of which of the two the prisoners used the most, is not set forth. But as there is a considerable charge in the next month's expenses for spittoons, we may suppose that the use of tobacco was not neglected. Tobacco comes up every month, and sometimes in two or three purchases. In one month, \$153 is charged to tobacco.

*Punishment.*—There were 151 punishments inflicted in 1869—3 yoked, 43 shinned, 101 in the dungeon, 3 ball and chain, and 1 head shaved.

There have escaped four.

We notice that complaints are made of, and preventions suggested for, the evils of night-buckets, yet water is abundant.

*The Chaplain's Report*—mentions the regular religious services. On the morning of each "Sabbath," there is

a Sunday-school taught by the students of a Theological Seminary, and by other gentlemen from the city. At 9 A. M. religious service begins, in the presence of the Deputy and about thirty Keepers, and many (often three hundred) visitors from the town.

The services are according to the usages of the ordinary congregations, met for public worship. "Roman Catholic service is occasionally held for the accommodation of those who prefer that order of worship."

In the afternoon of Sunday, the prisoners are visited in their cells, and religious conversation is heard, and tracts left.

Religious instruction is continued throughout the week.

There is a Library of 2,500 readable books, in English, German and French. One for each convict is supplied.

The Chaplain does not think that physical punishment may be dispensed with in the prison.

There are in the Auburn Prison 909 convicts, of whom 390 are of no trade or profession. Most of the men could be employed in some work analogous to their lawful pursuits abroad, with the exception, perhaps, of one circus performer. The "teachers" may have had an exercise for their trained faculties, as a good school is kept up in the prison.

#### CLINTON PRISON.

The average number of convicts in this prison is 503.

In the prison are carried on large factories, and mining, and burning, and hauling ores.



We see, in some remarks of the Warden, how prisons are found to be profitable. The new Warden says he received a certain quantity of nails from his predecessor, at a certain price. These sold in open market for \$15,000 less than they were appraised at; and on a quantity of wood, cut by the prisoners, and not sold, the returns were \$15,628 less than the article was considered worth when the accounts of the previous year were made up, and there was an excess in the appraisement of coal, of \$3,000; and, besides, all the debts due from the prison, amounting to several thousand dollars, were not taken into the account.

With this mode of making up balance sheets, we need not be astonished to find certain prisons set down as self-supporting, and even money making institutions.

There were thirteen escapes.

Religious and moral papers, and some of neither character, are allowed to the prisoners.

In a prison whose limits are so extensive, and whose command of employment so great, it is difficult to tell what ordinary occupation before conviction would not be made useful after sentence.

*Carrying chains* was the condition of one convict, and he may, in the field labor of the Penitentiary, or at forest employment, be made useful, especially as we notice that a railroad is projected.

We observe that among the convicts there is one that followed the business of a *pilot* before he was sentenced. One would suppose that in a State prison the business of piloting vessels would be rather in abeyance, but the business of the New York State Prison is so extensive,

and the out of door labor so abundant that perhaps without interfering with the sentence of the Court, or at any rate without extending actual privileges, the pilot might work out his sentence in the exercise of his profession, on the lake in the vicinity of the Prison, and bring produce and convicts to the establishment, and take away productions and the discharged. The old idea of prison limits need be very little enlarged to effect this.

The Physician of the Prison complains that the clothes of the convicts are indiscriminately given out, so that those worn one week by one person, may fall to the share of another, at the next distribution, and this, too, it would seem, with very improper washing.

#### ASYLUM FOR INSANE CONVICTS.

This institution is one of great interest. There were 79 patients at the close of the year.

The expenses of the house are about \$16,000 a year.

The Chaplain reports regular services in the chapel, and very little interruption has been caused by outbreaks among the worshippers.

These are the great penal institutions of New York State. They seem to be pretty well conducted, but the system makes hopeless almost all efforts at improvement.

#### NEW JERSEY.

An interesting Annual Report of the State Prison of New Jersey has been made for the year 1869.

The affairs of the institution seem to be well admin-

istered, but that Prison, like some in this State, is without proper space for the number of prisoners sent thither. The Report says :

“The number of convicts within the walls of the Prison at the date of this report is six hundred and nine (609), while the number of cells is only three hundred and fifty (350). To the evil effects of the want of proper accommodation, the impossibility thereby of a thorough reformatory discipline, and the sanitary risk involved in such over-crowding as is now unavoidable, allusion is made by the officers of the Prison. And your committee would again urge prompt legislative aid and appropriation to remedy a great radical evil.”

We notice that insane convicts are removed to the State Lunatic Asylum.

The Commutation Law is said to be productive of great good to the inmates of this prison.

The contract system, by which the convicts work in company, prevails in this prison.

## VERMONT.

The Annual Report of the Vermont State Prison for the year ending September, 1870, shows that there are eighty-six convicts in that place. Of whom only *one* is a native of Pennsylvania.

The Report complains that not as much money has been made by contracts for the convicts as have resulted from similar arrangements in some of the other New England States.

The worship in the prison is so public that often the congregation consists of more than twice as many as are inmates of the prison.

Separate cells are mentioned as a necessity for useful instruction.

We notice with regret that the great end of imprisonment in the New England States seem so mingled with pecuniary profits, that other benefits to result from the sentence of the Court are apparently regarded as minor, though valuable considerations.

We notice with pleasure that special regard is given to insane criminals, let us rather say, insane convicts. The discrimination between the sane and the insane seems to show that the ministers of the law desire to proceed no further than the point where responsibility ceases.

## MAINE.

The Report of the Warden and Inspectors of the Maine State Prison, for 1869, shews that at the close of the year the number of convicts was one hundred and seventy-four (174).

In discussing the financial condition of the prison, with a view of extending the manufactures, and thus making the institution a source of procuring profits, it is recommended that there be furnished for each convict a capital of \$500, with which to carry out the labor of his special department. In some of the Northwestern prisons, the capital is \$1,000 per convict.

The remarks of the chaplain on the character and

views of convicts are such as we have more than once offered in their general import. He says :

“The majority of convicts are not so hard as the outside world are accustomed to believe. There are men here *notoriously* vile and depraved. But there are scores sensitive to anything mean ; conscientious in more than ordinary measure ; dupes of villains who are at large, or innocent sufferers for other’s crimes. Such may be benefitted, nay, even the worst do show sometimes that they have a heart, while this is true they are not to be despaired of.”

The subjoined sentiment is good : “We are no sentimentalists ; we believe in punishing the criminal, not solely for vengeance, nor chiefly, but mainly for safety and reform. Mercy is good, and so is justice ; and justice may be so tempered and inflicted as to be mercy, as well to society as to the criminal.”

It is a ruling practice with the pardoning power of the State, to grant no pardon to any one without a clear record for one year.



## FOREIGN.

We have received our usual supplies of Reports upon penal and charitable establishments in Europe, and we shall notice their contents when there is any statement of change in the organization or administration of the institutions.

We notice that the English Reports which we have

received, are little more than concentrated statements of the reports from different prisons and reformatories which we noticed at large last year.

## FRANCE.

We have the Report from France, but the disturbance in that country has been such that nothing of a recent date has been published with regard to prisons. War, carnage, desolation, are the themes of French information. Following such conditions of society, there is usually a terrible duty for those who administer the criminal law, and abundant occupation for those who report the result.

We notice that a custom has prevailed in France of freeing the country of the criminals of foreign birth who have undergone punishment for crime in that country. They are carefully conducted to the boundaries and dismissed. The efficiency of the police there prevents the easy return of these *expulses*. The whole number of foreign criminals thus dealt with in 1867, was 1,882. There is a courtesy in this form of dealing with convicts which might be practised with profit elsewhere. It seems an uncalled for exercise of liberality to continue to retain in a country foreigners who divide their time between the pillaging of honest citizens and imprisonment for the crimes of which they do not repent, and which they mean to repeat with such additional improvements of art and extent as close study and comparison with other rogues in the prison, may suggest.

It appears to us that we have no "reports" of the operations of prison justice so complete as are those from France. We notice as a sample of their comprehensiveness, that in a statement of trials and punishment for crime, not only are they given from Algeria and other colonies, but there is a head of *China*, and the place of trial and punishment is given as "on shipboard."

In France it would seem that no one is overlooked. The foundling, as soon as he is dropped into the crib, at the hospital gate, is considered national property, he is recorded on the roll, and from that moment his course is marked, while he continues on French soil. His good or bad conduct seems to be made as much a cause of record, as was his reception, and the stages of his progress are noted and can be known when public good or proper private curiosity warrant an inquiry.

All these children of France, the sons and daughters of "somebody," are regarded with wonderful care, and when it is possible to ascertain the religious connexion with which they were born, their education is provided for with special reference to that creed. Thus there are Catholic schools and non-Catholic schools, and the latter are divided by religious distinction into Protestant Christian, Jews and Mohammedans.

## ENGLAND AND WALES.

We have received a massive volume, containing—

FIRST.—Police, Criminal Proceedings, Prisons.

SECOND.—Criminal Law, Equity, Civil and Common Law of England and Wales. 1869.

This work, though valuable to the statistician and the jurist, is less in our way than some others. We notice, however, that the police and constabulary force of England and Wales consists of about 26,000 men, at a cost of \$10,422,982, averaging about \$400 a year for each man. There are under 16 years, 16,074; over 16 years, 102,316, making 118,390 persons known to be thieves and depredators, of whom 26,000 are prosecuted.

There are 20,080 houses of bad character.

The whole number convicted in 1868 of various kinds of felony was 15,033, and the *costs* of all these cases was about \$800,000.

Something of the difference of cost to the county of the summary proceedings before the police magistrates of London, and those before the courts, may be inferred from the fact that the average of costs on indictment was \$4 00, while before magistrates it was 10 cents. The cost on indictment before the high courts, is from 40 to 60 dollars.

## PRISONS.

The returns relative to prisons are no later than those we analyzed last year.

The number of convictions continue to increase about seven per cent. per annum.

In reference to recommitments, we notice that not more than one-quarter as many women are committed for the first time as of men, and then the female repeater increases the proportion, till the repetition comes up to ten times and upward, when it stands—male, 1,656; females, 2,832.



Of 143,000 committed, Great Britain, Scotland and Ireland furnish all, excepting about 2,800. So that the nation seems quite independent of foreign countries for her supply.

The cost of the prisons for 1868, was \$3,456,895, or an average of \$132 per annum for each prisoner. Most the other facts set forth in the Report were noticed by us last year. The part relating to the civil courts must be exceedingly interesting to gentlemen concerned in law.

#### LONDON POLICE MATTERS.

Many improvements have been made in this country, and especially in this city, in the organization and management of the police, so far as it regards the *personel* of that body, but no improvement has as yet been attempted in that part of the judiciary by which the work of the police is legally settled. We have, perhaps, nearly a sufficiency of police officers, but there is a deficiency in some of our police *officers*. The improvement in the police force is mainly in the organization and direction of the force. The deficiency in the police officers comes from a deficiency of organization—less from a want of abilities in the magistrate, than from a want of a full detail of duties and fixed compensation for their discharge.

Everything, in London, seems to be under some rule, and, therefore, under some ruler, and consequently almost every act that interferes with public convenience, or private right, is also against some well understood

law. So that there seems to be a remedy for almost every evil but death, in London and its surroundings.

The Metropolitan Police, which has its centre in London, and its circumference in some rather distant portions of the kingdom, is, for the number of men and officers, rather expensive, but the expense of punishing offenders is diminished in proportion to the cost of preventing offenses.

The total number of men attached to the Metropolitan Police of London, including all grades of officers, is 8,883. Of which 1,099 are employed in special duties of the Government, public parks, dock yards and public buildings. The pay of the force alone amounts to £557,443, equal to \$2,787,215. In the Metropolis, the total length of streets patrolled by the police, and for the peace and security of which they are held responsible, is 6,708 miles. The long beats are traversed by mounted policemen. The whole number of arrests in 1869 was 72,951, of which there were 43,691 convictions. The causes of arrests seem to be about the same as in this city, but more care is evidently taken by the London police in arrests than by the police in this city.

There is a pretty large Detective force in London, which, notwithstanding the general repugnance to such an arm of the police, seems to do its work well and acceptably, and is highly commended by judges and police magistrates. The discipline of this force is kept up by fines or dismissal, and in case of gross misconduct by charging them before a magistrate.

The Report which is now before us, shows the action

of the police upon certain classes of offenders. 7,280 prostitutes were arrested in 1869, and 2,215 convicted. No arrests can be made unless the offenders are disorderly. The total number of beggars, rogues and vagrants apprehended in 1869, was 6,996.

Great use is made in London of the police stations for persons without a home or means to provide, and the hospitals contain *casual* wards, to which persons are admitted by ticket from police officers. In 1869 orders for admission to the "casual ward" were 1,379, 931, and 11,239 refusals. These wards are visited every night, and a record made in a book of every special case, and the Report contains copious extracts from these records, and some of them are quite amusing. One old man and his son were regular *tramps*, that is wandering beggars. The son, 30 years old, was born as a tramp—both declined to work, as unprofessional. One person, arrested by the police as a receiver of stolen goods, had acquired property to the amount of \$55,000, and he was connected with first class thieves, and advanced money for them to pursue their trade in Spain, France, Germany and the United States.

The permanency of a police appointment makes the officer acquainted with the persons, places, and circumstances of his beat, and thus property stolen is more easily recovered, and the offender sooner detected than in this country.

Of the 8,883 men of the Metropolitan Police, in 1867, only 20 were reported for any fault, and 16 were convicted. Of the remaining 4, there were 3 retained in service. 136 withdrew on pensions.

The Police have the general care of giving alarm for fires, &c. The number of fires in all the districts in 1869, was 593.

There are 5,782 licensed cabs in London.

4,117 common lodging houses were registered in London, affording places for 82,340 lodgers. These are under the immediate care of the police, and 162,240 visits were made to them in 1869.

*Betting houses* abound in London. These are places for getting up bettings on races, fights, or selling lottery policies. Great difficulty is encountered in proceeding against these establishments.

A new kind of boot for policemen has been invented, and it is thought that there will be a saving in the expenses of \$20,000 a year by its use.

Between 1849 and 1870 there were built in London, 225,822 houses, adding 5,831 streets, 1,030 miles in length, and 67 squares of 560 yards.

The importance of improved magistracy is shown in the following statement: In 1869 there were arrested 72,951 persons; of these, 40,408 were summarily convicted, which means, generally, that with the prisoner's consent, he was sentenced without the interference of the sessions. 28,355 were discharged by the magistrates, 4,188 sent to sessions, 3,283 were convicted, and 905 were acquitted. 13 awaited trial.

This mode of summary disposition of cases may require more knowledge of law than some of our magistrates possess, but it must save the courts much time for more important cases.

Under an act of Parliament, it seems that *common*

*women*, as they are called, are put under surveillance in certain districts (not including London and its immediate vicinity), including seaports, Portsmouth, Sheerness, Gravesend, &c., in which places 7,666 were registered, and subjected to restraints, &c., similar to those in Paris. Of the number thus registered, 385 were married. In the monthly examination, 49,389 certificates of freedom from disease were given; of course this includes the period of six years. 107 of this number died.

The English Reports denominate this class of persons "common women," when they are medically considered—but legally they are named prostitutes.

As we have often referred to a desirable improvement of the Philadelphia police upon the plan of that of London, we give the composition and cost of the Police Courts:

1 Chief Magistrate, salary,	-	-	-	\$7,500
22 Magistrates, at (each)	-	-	-	6,000
23 Clerks, varying from \$450 to	-	-	-	2,500
50 Ushers, Jailers, Messengers, at from \$350 to				650

Of these Courts, 11 are in the city of London.

The whole cost of these Courts is about \$351,013, of which \$67,340 are paid by the fines, penalties, and forfeitures. These never pass directly into the hands of the magistrates or officers. They are gathered chiefly in the Police Court of London. The magistrates have no right to increase their income to the smallest amount beyond their salaries.

THE EFFECT OF ARRESTS ON THE CHARACTER  
AND CONDITION OF THE ARRESTED.

How many who have passed through one imprisonment and felt the degrading effect upon their value the estimate of others, and have begun to see that effect produced on their estimate of themselves, are ready to exclaim, "I was alive without the law?" The effect of imprisonment upon a criminal charge is terrible to the sufferer. Through the whole of the incarceration there is a sense of degradation in the sufferer's experience, and on going abroad into the world (the time of sentence having expired), there is a terrible, a disheartening jealousy of every one formerly known, and a wretched apprehension of what may be learned by those not known before imprisonment.

We have been speaking of a person who has been undergoing a sentence to imprisonment for the first time. If such a person was innocent, about such an experience would be encountered—If the imprisonment had been without deserving—but if deserved a still greater nervous apprehension would be entertained by the discharged convict. Of course we allude to one with a strong sense of the world's appreciation of the disgrace of a criminal sentence, an appreciation in which he has shared. Every eye seems turned on him, and if the sufferer is a female, then is the nervous apprehension double, and life seems so beset with the evil consequences of one imprisonment, that it may be imagined that more imprisonment would rather diminish than augment the jealous sensitiveness, and without a love of

crime, the sufferer may be driven to violation of the law because the law has no further terrors.

Those who have watched the descent of prisoners in the moral scale, have often been struck by the evidence of some power repelling them from virtue quite as forcibly and effectually as circumstances and associations allured them to vice, and the question, to a female who was entering upon the fulfilment of her second sentence—"Why, have you come again, when you promised so strongly, and with so much apparent sincerity, to avoid crime and its occasion?"—is often answered by the assertion that not only had caste been lost by the first imprisonment, but that even something of the sense of degradation of conviction for crime had been removed, and the temptation to offense again was more than seconded, by the difficulty of regaining the position forfeited by the exposure of the first sentence.

We do not mean that such a motive is legitimate, or that the reason assigned is sufficient to excuse, certainly not to justify, an act that would lead to arrest—but though it neither justifies nor excuses the offense, we do not doubt that what is stated has caused the second or third offense, and we are to meet the *fact*. Whatever may be the reason, or however destitute it may be of reason, the *fact* that arrests are much more abundant than they were formerly is evident. In the first place, the population is larger than it was—and that population has been augmented and vitiated by a foreign element, who, having "left their country for their country's good," infuse into the weak and erring masses of the country a new element of mischief, and a new cause for

arrests and imprisonment. The enlargement of our cities, as a result of railroads, has sharpened the wit of those who have little wisdom, and thus increased and justified arrests. Crime, like other evils, "grows by what it feeds on."

Admitting, then, that crime has greatly increased, increased even more than has the number of the population, still it is evident that arrests have increased greatly beyond the march of population, and beyond the increase of offenses. And what is worse, the arrests—causeless or unjustifiable—have lead to the very crimes that have been falsely imputed, or have at least lead those who had not a very strong hold on virtue to release that grasp and slip into the embraces of vice and crime.

We suppose that there never was a time when all the white women of this city were faultless, were, indeed, without a charge of criminality, yet there was a time when the prison of the City and County contained no *white* female convict; though certainly some colored females were found in the convict cells.

How it happened that colored women should occupy the prison, we can understand; but why no white women should be there is less easily resolved. We can comprehend why there should be more blacks than whites in the cells in proportion to the number abroad, because the low estimate in which the blacks were held, if justified by their misconduct, certainly not unfrequently lead to that misconduct. And we cannot doubt that many black women were committed to prison for acts that were not visited upon white females by any considerable penalty.



We submit a tabular statement, already referred to, derived from the books of the Female Department of the County Prison, which serves to show the progress of punishment, if not of crime.

#### FEMALE PRISONERS CONVICTED FROM 1838 TO 1870.

<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>	<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>	<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>
1838,	None.	6	1849,	13	16	1860,	58	21
1839,	15	50	1850,	10	10	1861,	42	20
1840,	11	38	1851,	19	16	1862,	47	21
1841,	18	26	1852,	21	15	1863,	29	17
1842,	14	34	1853,	27	16	1864,	51	29
1843,	9	14	1854,	24	12	1865,	48	26
1844,	9	13	1855,	22	21	1866,	57	21
1845,	8	18	1856,	30	9	1867,	58	23
1846,	10	16	1857,	37	37	1868,	46	12
1847,	8	20	1858,	28	16	1869,	38	16
1848,	11	19	1859,	24	19			

Whites, 841. Blacks, 647.

Total, 1,488.

#### CHARGES CONVICTED FOR.

Assault and battery with intent to kill, 3 ; mayhem, 1 ; forgery, 1 ; accessory to a robbery, 1 ; receiving stolen goods, 22 ; suspicion of larceny, 1 ; shop lifting, 2 ; conspiracy, 1 . robbery, 3 ; attempt at burglary, 1 ; burglary, 1 ; picking pockets, 6 ; stealing a child, 1 . bigamy, 4 ; knowingly marrying the husband of another, 2 ; entering a dwelling with intent to steal, 1 ; attempt to commit a larceny, 1 ; malicious mischief, 4 ; misdemeanor, 3 ; passing counterfeit money, 2 ; disorderly house, 1 ; arson, 2 ; highway robbery, 3 ; concealing the death of a bastard child, 2 .

The others all for larceny.

Deaths—Blacks, 20 ; Whites, 3 .

Pardoned—Whites, 23 ; Blacks, 3 .

It will be seen that in 1836 there was not one white woman convict in the County Prison—none brought over from 1835—*none* sentenced in that year. The colored people were moderately represented. We have no means of knowing of what caste or condition these female colored convicts were; but it is fair to suppose that they were of the lowest condition of that then degraded caste, because though there were many very respectable colored families in Philadelphia even at that time, yet it is not likely that they contributed to jail population. They were so well known that their misconduct would have been noted.

But there were no white females among the convicts. Were there no white female violators of the law? Perhaps early first offences were privately dealt with, and kindness and forbearance prevented repetition.

In 1836, and before that time, there was no elective magistracy. The police knew little or nothing of increasing their income by arrests. The erring woman had not had her self-respect outraged by the horrors of a station house, and the disgrace of a prison cell.

Somebody, in speaking of the rapid convalescence of one that had suffered severely from sickness, remarked that he had only the disease to get clear of—not the remedy. While another, whose recovery was slow, or not at all, was said to have done pretty well with his fever, but was slow in getting clear of the medicine.

So hundreds of young women, who have yielded to temptation, recover by the kindness and forbearance that awaken their moral energies, and thus have not to shake off the disheartening sense of prison experience.

Women who were committed to prison forty years ago were scarcely regarded as recoverable beings. When they were sent to prison, not only were they to dismiss hope for themselves, but others became hopeless of them.

The comparative statement which we give of the numbers of white and black female convicts in the County Prison, shows that while there were in Philadelphia more than a hundred white for one black female, there was in one year *no* white female convict and six blacks. The number of whites increased slowly, but it was many years before the number of white female convicts was any ways proportionate to that of black, the population abroad considered.

Arrests commenced with a new order of things, and in a few years the number of whites greatly exceeded that of the blacks, and now the proportion of two or three whites to one black is fairly averaged.

It is really worthy the attention of those who are engaged in inquiries in Social Science, whether crime is not in some degree increased by the uncalled for interference of the officers of the law; whether the shock to moral delicacy has not, by arrests, promoted the evil which arrests were intended to prevent or correct.

It may be asked whether it is proposed to dispense with the application of the machinery of criminal law, and have none arrested.

Not at all. The execution of the criminal law is to punish one crime and prevent others. Now, if it appears that too free an application of the power to arrest has resulted in the multiplication of criminals, as well as in the multiplication of convicts, we are clearly of

opinion that the practice of arresting without special charge, is doing more harm than good.

It is true that the suspected person may have committed some wrong act—or at any rate he may, if let alone, do some wrong, but it is best, perhaps, not to hasten and increase the wrong by an arrest that places the arrested among the guilty for a time, and perhaps prevents his future association with the good.

We should not think it a commendable practice for a physician to step into his neighbor's house and apply a blister to the head or a lancet to the arm of the occupant upon the plea that he might be sick—he certainly would soon reduce him to a condition in which that sickness would be sure to present itself.

As we should be careful of the use of medicine, lest an injudicious application should fix a disease where only slight derangement existed, so should we be careful of the application of the machinery of criminal law, lest we fix on the arrested, crime, where only errors were to be found.

#### BLACK AND WHITE FEMALE CONVICTS.

It seems almost certain that few vagrants and drunkards, constituting, with others, that class of persons that, in police parlance, are called "Bummers," ever troubled the prisons much thirty-five years ago. We allude particularly to women.

It will be noticed that in 1839 the number of white female convicts had come to be fifteen, and the colored female convicts were fifty, a very high number, never equalled since by the colored women. In 1840 the

whites fell to eleven and the colored to thirty-eight. Almost every year shows a difference, but generally a small comparative gain of whites upon the colored. In 1849, the white females convicted and sent to that prison were thirteen, and the colored sixteen. In 1850, the number was ten whites and ten colored. This is the last and only year in which there was equality of colored and white female convicts. In 1860, the record shows fifty-eight white female convicts and twenty-one colored, and in 1867 nearly the same proportion existed, viz: fifty-eight whites and twenty-three colored.

The sentences were probably longer in the earlier period, as the number retained in prison was much greater at the time when the convictions were not so numerous, than they are now when the number of convictions is large.

It seems to one who has watched the movements of prison matters, and tried to derive from statistics some means of judging, that if some of the light offenders had been let off with kind monition, it is probable that they would never have given occasion for a second arrest. As it is equally probable, if not quite certain, that many who quit the prison with a resolution never again to be in the way of arrest, fail of carrying out their resolution only because they can find no place in which to maintain desirable innocence, no one to grant to them that confidence upon which must rest all hopes of success from their efforts to avoid evil and do good.

Public Prisons exist, and their miseries, though much diminished, are still abundant and irksome. The miseries certainly would be lessened if the prisons were

abolished, and society generally would rejoice if the evils which prisons were intended to punish were all abolished. The great labor which has secured only the degree of amelioration of the condition, shows how much yet remains to be done, and how much effort and sacrifice will be required to lessen still further the miseries of the prisons. We do not entertain any strong hope that prisons will cease to be a part of the provisions of the Commonwealth. Vice and crime are too rampant not to require some effective means of restraint, and we do not expect to live to see the day, nor live till we can foresee the day, when the people will cease to fear the depredations of their fellow men, or these fellow men be purged from the accursed coveting of the good of others. But notwithstanding all these discouraging circumstances, we expect to aid in the promotion of plans that will alleviate the miseries of prisons by greatly diminishing the number of prisoners.

In the first place, we believe the prison "makes the meat it feeds on," by receiving young persons who, without being entirely innocent of charges made against them, have suffered more by the accident of improper company, or an ignorance of the extent of the wrong which they were doing, and the amount of punishment they were thereby incurring. A few words of gentle caution might have kept them from the violation of any law, and failing that, a few words of affectionate, earnest reproof and early forgiveness might have saved them from a repetition of the wrong, and lifted them from the path that leads to the prison, and sent them forward in the path that leads to respectability.

But there is at work here, and almost every where in Christendom, a spirit of pure philanthropy that is raising the prison from a place of brutal punishment to a school of moral, and, indeed, of physical reform.

The efforts that the friends of humanity have been putting forward since the days of Howard, to lessen the miseries of prisons, are operating subjectively, as well as objectively, and men themselves, honest and good men are being improved by their own exertions to improve the condition and character of the dishonest and bad; so much reflective good is producing still more on behalf of prisoners. The experience of all that look toward the great object, is now being brought to a common stock, and this congress of ideas and experience is correcting the views of many and encouraging the efforts of all. Our plans of Prison Discipline are being corrected by experience in their execution; and the execution of all is undergoing modification by comparison.

We have above stated that, there were causes at work in prisons that tended to multiply the number of prisoners. Rogues leave the cell with no amendment of life, scarcely with a resolution to do better; certainly they have formed no resolution to do better at *cost*. They have not entertained the idea that they will have to meet and conquer difficulties in the way of virtue; they may think they will do better, they take no heed to the probabilities of finding the momentary temptation to do wrong of great strength, and the power of resistance lessened by a want of assurance that their self-denial will be *at once* rewarded. The evil principle seems to pay in advance, taking security for the per-

formance of the obligations by the other party. The reward for good acts is in the future, unless a "conscience void of offence knows how to find compensation in the act of goodness."

---

## EASTERN PENITENTIARY.

### NEW WARDEN.

At a regular meeting of the "Acting Committee" of "the Society for Alleviating the Miseries of Public Prisons," held on Thursday evening, May 19, 1870, George Taber announced the appointment of Edward Townsend, M. D., a Corresponding Secretary of this Society, as Warden of the Eastern Penitentiary of Pennsylvania, and added that Dr. Townsend had already entered upon the discharge of his newly assumed duties. The remarkable fitness of Edward Townsend for the Wardenship, and the fact that the office would afford enlarged exercise to his benevolent principles in the direction most familiar and agreeable to him, was a cause for hearty felicitation, while respect for the principles of the new Warden was augmented by a knowledge that his acceptance of the place was a great sacrifice of pecuniary interest, and domestic and social enjoyment. These views were seconded and enforced by Alfred H. Love, and by several members, and it was considered due to Dr. Townsend, that the spirit of the remarks should be embodied as the opinion of "the Committee" acting in behalf of this Society, and it was ordered that



Joseph R. Chandler be charged with that duty; and the following is the result of his obedience to that order.

Joseph R. Chandler presented to the Acting Committee the following

## REPORT.

The purpose of Alleviating the Miseries of Public Prisons, includes a consideration of all appointments and management that in any way touch the physical or moral interests of the prisoner; and those who would influence, for good, the resolutions, and, through them, the condition of the convict, must depend much upon measures, not submitted to their administration nor influenced by their direction.

Hence any change in the mode of conducting the affairs of the prison, or in the *personel* of its administration must interest those who have studied only the improvement of the prisoner, and seek to exercise their powers and discharge the duties of their mission in unofficial influence in his cell.

Something may be done to lessen the unnecessary suffering and promote the moral good of the convict, even when the government of the prison is essentially bad. All good results can scarcely be prevented where there is the least chance of reaching the ear of the unhappy prisoner with lessons of kindness, or of affectionate monitions. But an injudicious administration will considerably obstruct all these attempts for good, and miserably dwarf their fruits.

This Society has had large occasion to be grateful to

the management of the "Eastern Penitentiary," for sympathy manifested in the efforts of its committees to improve the prisoners; and they felt how much was due to the encouraging concurrence of the late Warden, John S. Holloway; and, hence the death of that good man and valuable officer was doubly regretted by the members of this Society.

An event has occurred, thanks to the discriminating care of the Inspectors of the Eastern Penitentiary, which consoles for the official loss of Mr. Holloway, by creating an assured belief that the place which he occupied is to be fully supplied.

The Society learns, with the highest gratification, that one of its Secretaries, Edward Townsend, M. D., has been elected Warden of the Eastern Penitentiary, and has already entered upon an efficient discharge of the important duties of that office.

Satisfied of the abilities of Dr. Townsend to meet all the demands of his new position, aware of his purity of purpose and his judicious zeal for the cause of humanity, and his ruling sense of justice, believing that while he is set to govern others, he has full "rule over his own spirit," and can thus the more readily control the excitable elements that are submitted to his direction; with a comprehension of all this, the Society felicitates the Board of Inspectors of the Eastern Penitentiary upon the success of its efforts to procure the services of a competent Warden, and upon the selection of a man whose self-respect precluded the possibility of his seeking the office, while his sense of duty to his fellow man leads him to accept it against his pecu-

niary interest, and especially against a natural desire for ease and retirement, which long application to professional duties fully warrants.

Nor can the Society refrain from expressing its high gratification that one of its own members has been invited, without solicitation on his part, to a place of so much consequence to the cause of philanthropy, and that now the best system of Prison Discipline in the world is likely to have its best administration.

With this feeling on the part of the members of the Society, it is

*Resolved*, That this Society recognize the discriminating judgment and foresight manifested by the Board of Inspectors of the Eastern Penitentiary of Pennsylvania in their recent election of a Warden for that institution.

*Resolved*, That this Society offers its hearty thanks to Edward Townsend, a laboring member and faithful officer of this Society, for accepting the unsought position of Warden of the Eastern Penitentiary, to which he brings a zeal according to knowledge, and a judgment matured by a connection of many years with the moral interests of the inmates of the place, and a command of self that will insure affectionate respect and ready and willing obedience from those committed to his care, and a gentle humanity that, accompanied by a governing sense of right, will secure *improvement* without neglecting *discipline*.

*Resolved*, That in tendering to Dr. Edward Townsend the congratulations of the Society, which seem to be those of the whole community, on his recent appoint-

ment as Warden of the Eastern Penitentiary, and offering him thanks for his acceptance of the office, he is assured of the constant sympathy of the members of the Society, and his hands shall be strengthened by the prayers of those who know his worth and appreciate his abilities.

The report was accepted and the resolutions unanimously adopted.

---

## WHAT IS YET TO BE DONE.

We see that movements are being made in various parts of the State to call a convention for the revision of the Constitution. Undoubtedly there is a necessity for such a measure. The Constitution that preceded that under which we now live, was a noble specimen of statesmanship, and the affairs of the Commonwealth seemed to have been prosperous under it. Whether it was better to alter a fundamental law, founded on the great principles of freedom, to suit a change of certain habits, or to adapt the habit and laws of the State to a well digested and carefully prepared Constitution, it is not in our place to discuss. The former Constitution having been changed, we have thence both precedent and necessity for amendment. We are concerned chiefly for the Judiciary, and especially for the lower branch of the Judiciary. We desire to see, especially in this city, a Police Magistracy that, with a proper knowledge of the law and a full supply of common sense, may be

able to deal with accused persons upon grounds of absolute justice, without cause of apprehension that their decisions will influence their own income, or that the amount of their business is not increased by their own efforts to make cases, and their income augmented by hasty or tardy settlement of those cases. We need a Magistracy with extended powers, Aldermen who may deal summarily with cases of a limited importance, and thus serve the cause of justice, save time to the offender and money to the city. We unhesitatingly believe that one-half of all the "costs" which the city pays for the cause of justice might be saved by such a course. The habit of litigation among those who now rush, if not unadvisedly, at least foolishly to the Alderman's office, would be arrested. The Courts would not be hurried with small prison cases, and troublesome people would learn to keep their troubles to themselves. The man that had beaten his wife, would not, while she was suffering from the bruises he inflicted on her, rush to the Alderman to get her committed to prison for assault and battery, and spend thus on a writ the amount of money which he had saved from his debauch, and ought to have given to her for the purchase of bread.

We repeat here what we have often said, that it is not to the Magistrate that is referable the wrong, but to the system; or if to the Magistrate, then still primarily to the system that hinders in some wards a proper person from occupying an office which will not afford a good living by proper means.

But another scheme of real benevolence is occupying public attention. It is one that a few years since this

Journal presented with approval, and showed its practicability and its great utility in a direction which other reformatory institutions had not operated in the State. We mean School Ships (ships, not houses) of Refuge. At a time when the old apprenticeship custom has fallen into disuse, and the lads that ought to be apprentices, have in consequence of that disuse fallen into idle and vicious habits, into the House of Refuge or the County Prison, we need to have multiplied places of restraint and means of enforcing improvement. And the lack of seamen of which our merchants complain, and for which commerce languishes, is another argument for the Ship School. Let us have employment for the young men—free or enforced—but certainly employment.

---

## NECROLOGY.

### SAMUEL CALEY.

We have too many members who have passed the most active stage of life to hope to close our report of the year's experience of the Society without finding it necessary to record the death of some of our number. We are passing away, and those of us who live for more than three score years and ten, have a duty to mention, their own losses, in the death of those who have labored with them, and to see that virtue in the living does not lack a stimulant by the neglect of the good labors of the departed.

The justice which we do to the memory of the virtuous is not a simple laudation of the excellence of their character and conduct, but it is rather an homage to the cause which their conduct has illustrated and a proof that the living are competent to the great duty of appreciating the beautiful life of those whom they have known and whose labors they have witnessed.

We have this year to record the death of one of the faithful laborers in behalf of suffering prisoners.

SAMUEL CALEY, a useful member of our Society and an active, devoted member of our Acting Committee, was born September 1, 1790, in Newtown township, Delaware county, and died at Marpel, Delaware county, August 29, 1870, having closely approached four score years. Mr. Caley resided from the time of his birth till the year 1849 at the homestead, purchased by his grandfather, Samuel Caley the first, soon after his arrival from Europe. This farm descended through father to son to Samuel Caley, the present occupant, the son of our deceased member.

Early in life Mr. Caley, from deep conviction, united himself with the Society of Friends, and maintained his membership to the last.

In 1848 Mr. Caley, having two years previously married for the second time, removed to Philadelphia, and he manifested his interest in the cause of the suffering, and his respect for the Society for Alleviating the Miseries of Public Prisons, by becoming a member of the Acting Committee, and fulfilling the appointment to the Eastern Penitentiary as a regular Visitor.

It was a beautiful conclusion of a life of actions of

distinguished integrity—integrity in the smallest as well as the largest transactions, and in all the relations of life—that having closed the work appointed, he could “lie down in peace” and sanctified integrity, and trust his immortal as he had trusted his mortal interests to Him “whose mercies are over all His works.”

The long life of our departed co-laborer was closed in the clearness of mental perception, and he relinquished his hold on life with a resignation that showed how much above his own will was his deference to that of his Heavenly Father. The good which Mr. Caley did in his life, is remembered by his co-laborers with grateful sense of the benefit which flowed therefrom to the cause of philanthropy, and with practical suggestion to imitate his beautiful example.

---

## CONCLUSION.

We close the labors of another year with an augmented sense of the importance of the work on which we are engaged. There are indeed some who declare that the work of ameliorating the condition of prisoners by making the punishment of crimes a means of improving the criminal is not merely useless, but one that withdraws the criminal from the full rigor of the law, and then confounds vice and misfortune by equalizing their consequences.

We do not here propose to debate the question started in such an objection, but we may say that should, by



any chance, the unfortunate person sink into the same physical condition as one that is criminal, and it often happens; should the innocent be incarcerated for trial where the guilty is receiving his punishment for crime, that circumstance by no means confounds the case of the two persons, unless, indeed, it should be proved that to await an opportunity to prove innocence is the same thing as to endure the punishment of an exposed and proved crime. We must not confound guilt and innocence, because that has temporarily happened to the latter which is deserved and suffered by the former.

The attempt to alleviate the miseries of public prisons is not always commenced by leading the convict to think himself as good as others, nor to lead him to think that there is no difference between him and the person who, unable to obtain bail, is awaiting the time when he may establish his innocence.

The miseries of prisons are usually relieved, so far as regards the individual convict, by making him feel more miserable—lifting from him the veil by which he has hidden from himself, the character of his crime, and the necessity of punishment. This kind of alleviation is at first a severe aggravation, and it is only when a full sense of the evil nature of his course is made manifest by a comprehension of the perfect relation of his imprisonment and his crime, as effect and cause, that he commences the work of alleviating his own miseries and ameliorating his own condition.

Some seem to think that the work of alleviating the miseries of public prisons can be best performed by abolishing the prisons, and that the amelioration of the

condition of prisoners must be effected by relieving them from the penal action of the laws against vice and crime.

This Society protests against all extremities—against any utopian measures. While it would lessen the suffering of prisoners, it has no purpose to save the guilty from punishment, and while it desires to see the construction of prisons accommodated to the best plans for preventing physical and moral evil, it has no expectation, and in the present and probable future condition of society, it has no desire to dispense with prisons.

The great insurance policy, which is the basis of all society, will provide prisons and almshouses as the moral and physical asylums of the vicious and the unfortunate. The great philanthropic policy, which is the basis of the Prison Society, will lead to constant exertions to alleviate the miseries in both these institutions, to restore the criminal to usefulness in life, and to smooth down the rough declivity of the pauper's course, and give him consolation in death. God help all, of both classes, and may God bless all with directed efforts to make the criminal virtuous and the unfortunate comfortable.

To these great ends we direct our labors; to the assistance of our efforts to attain these ends, we invite the co-operation of those who are willing to spend some time in labors which are not likely to be appreciated in this life, labors of which one scarcely thinks of speaking more directly than does the physician of his recent visitation to the sufferer by infectious and contagious disease.

We invite, also, the co operation of those whose tastes, whose condition, whose associations, whose active engagements will not permit their personal efforts to ameliorate the condition of the prisoner, and we suggest as a way of connecting themselves effectually with the good work, that they contribute of their means, which will aid the Agent of the Society to assist the discharged convict, and thus to alleviate the miseries of public prisons.

Our own choice is made, our own plans are formed and we shall endeavor to promote the great end of our Society by whatever means Providence has placed at our disposal.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*

## APPENDIX.

---

The Chairman of the Editorial Board of this Society was invited to prepare a paper for the Convention that was held in Cincinnati in September last, to consider the important questions of Social Science involved in the administration and discipline of Public Prisons, and the subject of a periodical for prisoners was suggested. An Essay was written, but it did not reach the Convention. It contains some ideas that may be approved by the "Philadelphia Society for Alleviating the Miseries of Public Prisons," but as it also contains opinions not submitted for judgment of the members, it has been thought not improper to give it publication, but at the same time to give it a place where it may not be considered as necessarily the Society's views. The author is responsible for what he has written, but he gives it as an opinion that may be modified, but which certainly appears to be sustained by what is discernable among convicts. An enlarged experience with prisoners individually, and a close intimacy with their views, thus acquired, have lead to the conclusions which are set forth in the Essay. The writer believes that his conclusion results in presenting the best forms of periodical literature for the convict—but he is not so wedded to that opinion as to think that if the best cannot be supplied, then the second should be refused. Let the best possible means be adopted; but it often happens that, from various circumstances, the first is unattainable. Then let the *second* be employed and a blessing may follow for the *intention*.

### PRISON LITERARY GAZETTE.

The question of a paper or Gazette for Prisons has been considered worthy of a special thesis, as including a proposition for ameliorating the condition of prisoners, and hence entirely consistent

with the views of those whose charities are especially exerted in behalf of the incarcerated, and who looked to this Convention for the enlargement of existing means, by the proposal of new plans of doing good in that direction.

The importance of the end proposed justifies the inquiry whether a paper for prisons should be established, and how it should be conducted. Is the establishment of a *Gazette* for the special use of prisoners practicable, and if practicable, is it desirable? Can the work be accomplished? And if accomplished, will it provide the great object in view?

The proposition should, for the sake of proper consideration, be presented in a definite form.

Can a newspaper specially for the use of prisoners be made of considerable moral use? If so, it ought to be established by any available means, and sustained at any cost. There can be but little doubt of that, and as little that it would be established and maintained.

If these good results cannot be hoped for, then it seems equally plain that the labors and expenditures necessary for such an undertaking, should be transferred to some other branch of the good work of those who stand pledged "to ameliorate the condition of Public Prisons," and "alleviate the miseries of the prisoners."

The wealth of philanthropic zeal with which so many are endowed, great as it is, should be economized. There is a waste of philanthropic efforts that is as injurious to the great and good objects proclaimed, as is the rash expenditure of fiscal men on undertakings which look to future schemes of profit. Plans should be suggested with great prudence, and weighed with mature judgment. That which at first blush promises a general good, may be so conducted as to lead to that amount of individual evil, that shall eventually work out a permanent and extended injury to the whole prison literature; that is the literature of prisons. Literature practised in prison, and emanating thence, has, perhaps, been among the most beneficial that is extant. The "*De Profundis*" of the Royal Poet may not have owed its melancholy pathos to the grated windows of a cell, but David suffered confinement before he wrote his Psalms. That Jeremiah wrote his Lamentations in the dun-

geon, into which he was lowered, is scarcely likely, but it is probable that a sense of his separate and solitary confinement influenced the composition of his most pathetic complaints.

John the Baptist, perhaps, did not write much in his prison, but certainly he maintained moral truth there, and came forth only to suffer for his zeal for public morals.

John the Evangelist wrote his Apocalypse on the penal Island of Patmos; and, overlooking the thousands of other lives that are recorded as asserting the truth in their prison cells, we find Grotius occupied in Holland, with his pen in prison; Tasso wrote from the prison in Ferrara; and, perhaps, without a prison the world would never have had the delight of Bunyan's Pilgrim's Progress. Men seem, like certain herbs, to emit their sweets only as they are trodden on, and the prison and the dungeon are the alembics in which are distilled, and whence flow, the richest and most exquisite emanations of the human mind.

But the literature *of* the prison, is not the literature *for* the prison. The crushed heart that gives out its richest sweets, may need other medicaments to heal its wounds, and vice and crime demand something, for their disease, different from that which sorrow and oppression have wrung from the innocent sufferer.

A newspaper, such as is read in the principal cities in the Union, is what almost every prisoner craves, and is that which he urgently solicits from his keeper, that which he most earnestly desires his visitors to bring to him. The strong desire of every man who can read, to have "a newspaper," the unfailing indulgence of every one in the luxury of a newspaper, till that luxury becomes a necessity, seems to justify the idea that a paper is a desirable, almost a necessary means of reaching the affections, and then the conscience, of one who is suddenly and temporarily withdrawn from social intercourse, without any diminution of interest in social life; with no diminution, indeed, except that of the liberty of sharing in, and enjoying social intercourse.

The papers which men ordinarily take are those that promulge and sustain some opinions in which they have interest, or some dogma to which they give assent, and they find pleasure in reading arguments and statements that are concurrent with their views, and

tend to give them confidence in their opinions, these in general are more concerned in strengthening than in correcting their belief—more pleased with a writer who supports, than with one who purifies their views. We say not that this is wrong, men can have little enjoyment when they have an unstable political creed, and though all else should be sacrificed to truth, yet with pious attachment to creeds and opinions it is difficult to convince them that any sacrifice is required. Hence even the religious and political press fail of one great result, they strengthen existing opinions much more frequently than they aid in inducing a change. They do not liberalize the mind and prepare it for the truth. They rather strengthen attachment to a supposed truth, or an admitted apothegm.

The press, active as it is, it may be feared, fails of the useful of which it is capable, fails, perhaps by the very activity of which it boasts—for which it is indeed remarkable. But the papers will be sustained because men will take them and pay for them, and those who write about the public press, must discuss that which does and will exist. The question is not “shall there be a press?” That is settled by the press itself, showing that its own existence is a necessity, showing that opposition would not destroy it. The question is, how may the press be made a means of continued, genuine good; and what is the discrimination by which it may be made ministrant to particular advantage? How may it be accommodated to certain circumstances, that are not connected with the ordinary condition of society, so that certain classes may profit most by its powers?

The inquiry now proposed is the advantage of a newspaper for prisoners, as a means of improvement while in prison.

We see that “the public press,” as the newspapers are usually denominated, is not calculated for all purposes, all associations, and all objects. We see that, by the obvious fact that a large number of similar religious denominations, philanthropic, and scientific combinations, are not content with the “general newspaper.” In the case of science it may be said that the columns of a newspaper are so filled with general facts, political arguments, and business statements, that there is not sufficient space for the scientific articles that interest a certain class. That is true in regard to science,

and partially true with almost every other matter that occupies almost exclusively the mind of classes of inquiring men.

So that we may remark that the idea of exclusiveness has such possession of the people that it would almost seem impossible to satisfy any man without a constant ministration to the particular scheme toward which he has a ruling proclivity. A paper that deals with things in general, does not meet with the approving support of such a person. And a "paper" that deals only with what alone occupies his thoughts, is that alone which he thinks worthy of encouragement. A few others unite with him in views and in support of a separate paper, and a sickly addition is made to what is called the press of the country, and the little strength which it has is drawn from the vital support of the general press, and many sickly papers enjoy the sympathy and support of a small community that might otherwise be amused and instructed by a wholesome sheet, that should mingle the news of the day with the essay of the moralist, the politician, the statesman, the merchant, and the man of science, referring the reader who needed additional knowledge to the library, now, alas, too generally neglected for the trashy essays that treat of subjects as if a single day was all that any man had to give to any one subject. We have lately heard a person state that he had "done Europe in six months," and there are people who imagine that they can do the whole circle of science and the higher arts in six months, and reduce the contents of massive tomes to half a dozen newspaper essays. We may thank the man that by labor and devotion simplifies any science, and shows its adaptability to practical purposes—he is a public benefactor—but the simplicity that is to be useful, is obtained rather by amplifying than shortening the process, and while an essay may awaken a good appetite, it does harm if it satisfies that appetite.

But is a "paper" required for the prisons, or will a paper be useful to the prisoners, for if it will be greatly useful, then it is greatly necessary.

We will not now discuss the question whether the ordinary newspaper of the day is calculated to do the good desired and proposed; we think it would not be beneficial; we speak generally, not doubting that there are exceptions, especially when the character, attain-



ment and plans of the prisoner, as well as the character and contents of the paper are considered.

But unfortunately, most unfavorably, the whole of the newspaper press is not what it ought to be, and certainly the mind of the prisoner is not, in all cases, in a condition to derive moral profit from the discussions and statement of facts in the public press. The very truthfulness of the newspaper may be a reason why it should not find its way to a prison cell, when that truthfulness consists in the exactness of details of the multitude of crimes which press for record in the *Gazette*.

It is now some time since the authorities of several of our cities forbade the public sale of certain newspapers that dwell chiefly on the doings of the police and the details of crime which gave employment to the police and piquancy to the papers. Yet these special magazines of crime told little that was not found in the statement of crime and the legal reports of criminal cases that appear in some of the daily papers. The difference is, that the daily issue of the paper generally allowed space for the criminal record and the news and comments of the day, while the hebdominal sheet, that would report all the crimes, had no space for other matters. The disgusting details of vice and licentiousness in the daily papers, were relieved by political discussion and items of ordinary import. In the weekly police paper the whole is one unmitigated mass of offensive detail that blunts delicacy in the young and encourages to indecency and crime.

The daily paper is now generally discountenanced in our prisons, though certainly there are papers which should be regarded as appropriate visitors to the prison cell, but the rule is generally obeyed. If the dailies are thus excluded, then *a fortiori* the weeklies of the class to which we have referred must be prohibited to the prisoner.

Here, then, are two classes of papers, the regular, well-conducted daily and the specially exciting weekly, that are forbidden admittance.

It naturally occurs to almost any one that there is an alternative. There are religious papers of almost every denomination, and however people may differ about the dogmas which they propound and

defend, no one will say that they are not earnest in their denunciations of vice and crime, and pleasing and attractive in their advocacy of propriety and virtue. The religious press, then, is the desirable means of amusing and instructing the prisoners. Its columns are undefiled with the reports of crime, or the more perilous record of the trial of the criminal. Here religious truth may be conveyed to the cell of the convict, and the sermon that edified an attentive congregation on Sunday, may be made a useful lesson the next week to the inmates of the prison. So that not only may the poor have the Gospel preached to them, if they will only attend divine service on Sunday, but the reverend orator will, by the aid of the press, go "to preach unto the spirits in prison."

The religious press generally, as respectable as it is in this country, would seem to be the means of reaching the heart of the convict when he is separated from all other moral instruction. And, with one exception, that means would seem to be acceptable, and therefore worthy of adoption and enforcement.

That exception is worthy of consideration, and we will look at it with a view to securing to this great object "Prison Instruction," a most powerful auxiliary.

The religious papers are religious. That is, they are, as their name generally imports, partizan papers. *The Episcopalian*, *The Presbyterian*, *The Methodist*, *The Catholic Standard*, &c., &c., are distinctive titles; while others contend earnestly for dogmas and rites under some name which is less expressive of the tenets of the writers, and the special end to be produced. Certainly the tone and temper of some of these religious papers are not so expressive of the charity and meekness of Christian requirements as could be desired. And if one may differ from another in the tone and terms of denunciation, it often happens that the difference is only in the character of the instrument, not in the object. And the sharp, clear cut of clerical satire, poisoned with the ointment of great historical research, is used instead of the coarse saw-like tearing of conventional vituperation, made less endurable by the ignorance of the character of the facts, and the origin or true application of terms.

These and such matters, while they may please (they will scarcely

instruct) the class of persons that hold opinions thus oppositely defended, must be irritating and offensive to those who have no interest in the discussion, or who may hold the opinions that are offensively discussed.

Then the religious press, as now conducted, can scarcely be considered a likely means of amending the morals of the convict, by securing a valuable and profitable regard for the teachings of that great principle which certainly lies at the foundation of all morals.

The political press, we have shown, is liable to great objection as a means of improving the prisoners, and the portion of the press that makes a specialty of what constitutes much of the evil of the general press, cannot certainly be regarded as supplying corrective means to the prisoner, or furnishing his mind with the kind of pabulum that is suited to his mental and moral wants.

If, then, a newspaper, a periodical, is necessary for the prisoner, and no existing publication can be trusted in its present form, it follows that there must be a paper specially adapted to the wants of prisoners, and that was the proposition to be considered in this Essay.

No one, we think, can fail to desire the establishment and use of means to ameliorate the condition of the prisoner, to encourage and lead inquiries into the cause of his present condition, and the peculiar character of his own mind, and what renders him, more than some others, liable to fall into the snares that lie along the pathway of life; and, pursuing this inquiry, it would be a beautiful addition to existing means of good, to have encouragement to amendment, accompanying the evidence of misdeeds, and the possibility, nay, the probability of these resolutions of amendment, when carried into action, working out a better return than was anticipated even before the error or crime was committed. And the hopes of success would be stronger if the means employed to produce this result were those of modern use, with "modern improvement," and if the great lever for lifting the public mind in masses could be applied to individuals. One likes to see a general harmony in the efforts and instruments of public benefit, and the press that so affects all free institutions, would be hailed with new acclamations if it was seen working where liberty is lost by crime,

and isolation is the vengeance of violated laws. The press, then, is the great and evidently the favorite means of improving the prisoner.

And as we have seen the objections to what is regarded as the general press, and even the religious press, and as a special paper seems to be required, two points suggest themselves for consideration. Can the press, that is, can a paper specially adapted to the wants of a prison be had? In other words, can any man or set of men adapt a periodical to the wants of prisoners and make it so universally acceptable as to be universally read in the cells. If that can be done, then we say let it BE done.

The advantage of such a paper would be almost incalculable. A common channel of desirable information, a common means of reaching the consciences of the tenants of prisons, a common form of expression for acts and punishment.

Now we know that the success of a paper must chiefly depend on the conductor. We know that as many papers succeed with illiterate conductors as are kept alive by educated talents; but then we know that the success of the former is due to the ignorance of their readers, who find their own ideas set forth in their own language, and patronize what seems of their own rank. Even in that case, the success of the ignorant conductor is dependent upon the sympathy of his patrons; he has narrow views and limited attainments, and hence commands the attention of those who are in the same condition.

Sympathy, then, is one great bond between the writer and the reader. And whenever success follows efforts such as those which we now contemplate, it must greatly depend upon the absence of all points that touch wounded pride or disturb established views. Ignorance is not an ingredient of objective success, it is only the ignorant writer himself that profits by the stolidity. He who would hope for success in efforts to improve the ignorant, must have knowledge of the character and extent of that ignorance, and the means by which are to be secured that attention and that confidence by which information is to be imparted and improvement secured. And he must not jeopard his plans of success by arousing suspicions of sinister aims, nor awaken jealousies by offending the

uninvestigated tenets of religion, which the pupil holds for future use, but which he does not pretend that he ever brought out for action. A large portion of the dogmas of sects are held or admitted by a vast number who have little idea of putting them into practice, and still less idea of their bearing on the actions of life. They, perhaps, postpone an inquiry into the correctness of these doctrines till circumstances shall render it necessary to direct or defend some action by these arguments.

More frequently the dogma is held because it belongs to a creed into which the professor is rather born than educated, and he neither seeks for, nor desires, exposition or defence. In these, and in all similar cases, the holder is usually tenacious of his article of faith in proportion to his ignorance of its character and requirements, and he becomes noisy and turbulent in its defense just in proportion to his lack of argument.

Now there are people who think that the convict is a man who is wholly given up to plans of crime, and that he has no idea of action beyond that of putting those plans into execution.

This sort of character has certainly some representatives in the cells of the Penitentiary, but they constitute a very small portion of the whole number.

Others appear to regard convicts as ready to be moulded into moral uses, and to have no regard as to instrument and means.

Certainly there are men and women in prison who are of this passive kind, and who owe to that passiveness the crimes for which they suffer. A different association would have lead to different results. Had they fallen into the hands of good people, those who would have moulded their passive qualities into a sort of negative goodness, they would have been saved from the prison for want of any wilful violation of the law, but they never would have risen into any credit for positive, active virtues.

These kinds of persons do certainly exist in the prison, and they serve, with certain visitors, to give a character to convicts generally. But the great mass of convicts have neither the qualities of irredeemable vice, nor the passiveness of indifferentism. They are generally men with some ideas of means and ends; men of abilities to calculate, and often with the ability to understand that vice

and crime "do not pay." They know what *would* pay, but they do not know where to begin—how to get the first grain of confidence so necessary to any enterprise; where to place the lever with which they feel that upon such a fulcrum they could raise, if not the world itself, at least themselves into the world. They lack patience in the work of reformation—they lack confidence in the kindness of others, and, with some reason, they lack confidence in their own resolutions.

These prisoners have to be dealt with, and one means suggested for consideration is a paper, not a political paper—not a general newspaper—not a religious periodical; but one specially devoted and adapted to the convict.

Nothing could be easier than to plan a newspaper to suit prisoners, and it would not be a difficult task to find conductors and contributors for such a paper; *Provided*, that all prisoners had one common interest and one common vein of morals, founded on one common religious creed.

There can be little difference in the general moral opinions of convicts. Men's views of morals are not very variant, the negative portion of the Decalogue does not admit of much controversy as it regards the theory. What is forbidden there is not professed by those who would stand well with society; but it cannot be denied that respect for those prohibitions is not universally manifested in practice. Certainly the occupants of the prison cell may be referred to generally, as those who have not distinguished themselves by an obedience to the commandments.

Yet go to the cell of the burglar, the thief, the homicide, and he will listen to monitions and profess profound respect for sound morals, and promise obedience to all the moral laws, and, perhaps, in some instances that obedience is yielded in liberty, which is professed in durance.

But are the teachings of the prison paper to be confined to the outward acts of the man? If so, then he may be reached in prison by the prison paper, illustrating the evils of vice and portraying the blessings of virtue.

But the prison paper is to be in the direction of some person, its tone must be expressive of the opinions of an individual, and the

religious views which he presents must partake of the character of the creed. It is true that some may say that "nothing but sound morals shall be enforced in it." We should not look for any defense of immorality. But is the prison paper to have nothing but morality? Is morality based upon itself? Is not religion the foundation of morality? And if morality is to be taught without reference to religion, then it must seem that the structure is to be baseless.

The man who edits the prison paper will make it, more or less certainly, dominantly express the view of his co-religionists. I do not mean to say that he will mark the lighter shades of difference between denominations of similar creeds, but he will almost certainly present the salient points, the great features of his own creed, and dwell on them and commend the usages that spring from the practice of that creed. We know that some will say that papers are conducted for party purposes without any notable reference to the religious creed of their conductors; That is true, but it is true only because politics, and not morals, are the main object of the conductors. The editor who would undertake to enlighten his readers on party subjects, and engage them as true citizens to unite in his views and assist in promoting his objects would scarcely fail of reference to the requirements of the constitution of the country, and to the exposition by great men of the political doctrines of that fundamental law of the land. One would dwell most earnestly on the views expressed by Madison and Hamilton, and another would present the deductions of the less liberal expounders of that instrument. We should have, on one side, the practice of Adams and Munroe, and, on the other side the example of Jefferson and Jackson; and in these various representations each opposing writer would refer to the constitution, but to the constitution "as he understands it," and he would strengthen his teachings by illustrations drawn from the arguments of those who thought as he thinks, upon whose views his own opinions are formed, so that while he is preaching and teaching what he declares, and what undoubtedly he believes to be, the true political dogmas of Republicanism, he is only strengthening the opinions of one class and offending the prejudices of another. So, in enforcing the necessity for moral im-

provement, experience shows that writers and speakers, have a basis for action and argument. All agree that murder, blasphemy and perjury, are bad ; it requires no argument to prove that ; the convict confesses so much, but their business is to induce the murderer, the blasphemer, and the perjured man, to leave his offences and adopt a better course of life. But the virtue whose practice is "the better course of life" must rest upon a better basis than sorrow for detection and punishment, which is too often the whole amount of the convict's repentance. The basis of the new morals must be religion. No one has succeeded much in attempts to amend the life of a criminal who has not made accountability to God a *motive* for the amendment. No criminal has mended his way who has not begun that amendment in that fear of God which is "the beginning of wisdom."

The early religious instruction of the prisoner was evidently little more than unapplied lessons, but they were lessons to be applied, and they remain in his mind as the instrument and means of that religious life which has its exponent in virtuous acts.

Reverence for these lessons, when they have not been applied to regulate action, is called by some "*Superstition*," and that term may be entirely appropriate. The man who acknowledges the existence of God and his accountability to that Supreme Being, who knows that vice is wrong and believes that the practice of the requirements of the religious association of which he is by birth-right or profession a member, will save his soul and hide a multitude of sins, may have respect for the rule and render obedience to the ceremonial laws of the church, when his life is in utter hostility to the doctrine of that church, and his actions directly opposed to all the significacy of its ceremonies. That may be "*Superstition*," and the practice may justly expose the man to ridicule. But that which in him is superstition, is rooted in his heart, and those observances which in his circumstances ensure ridicule are fruits of that belief. His life has not been made sinful by any doubt of the creed in which he was reared, and he cherishes an idea that, at some time the fruits of his belief will be found in an amended life. And he acknowledges thus his obligation to religion as he understands it, and he has no other idea of permanent improvement in morals



than by renewing his relations with his church ; and good men in their attempts to improve such a prisoner propose, as one means of reaching him, a periodical that shall be a silent instructor, and press home upon the convict's heart the verbal lessons which the appointed or voluntary teacher shall have communicated there.

Suppose the paper established and in the hands of an earnest, zealous, religious man ; no one can doubt that such a person would enforce the necessity of the strictest morals ; nor could we doubt that in these times and in this country, earnest efforts would be made to persuade to the adoption of Christianity as the ground of these morals.

We have already in noticing the character of the religious papers, pointed out what we consider to be a feature necessary to the paper as a religious vehicle, but injurious to its character as a prison paper, viz. : the hearty thorough advocacy of the distinctive dogmas of the denomination whose organ it is or attempts to be. Now the man who conducts the prison paper is not likely to be one who has no fixed views upon the doctrine of a church, and hence he is unlikely to be without the habit of expressing those views. He may be charitable, that is, tolerant, but if he is sincere he can scarcely avoid offending the denominational susceptibility of those for whom he is writing ; and we feel that the writer of one creed would create a jealousy in the minds of the readers of another creed, where the distinction is marked and radical.

It is true that there are many religious denominations between whom the difference seems to be little else than in forms, and others with whom the points of difference are so few, and so very unimportant to the general creed, that there may be a harmony of action and concurrence of confidence with regard to matter suitable for the prison paper.

But there are those in prison who, while their whole lives seem to have been given up to a neglect, if not a violation of the laws of God, as considered by the church to which their parents were attached, have never forgotten certain peculiarities of the creed of that church, nor forgiven the act which they construed into injury to its professors. They are ready to do battle for a system for which they were never willing to make a sacrifice of a single

pleasure or passion ; and if no chance of battle is offered they maintain a sort of armed neutrality, which renders them unapproachable by those who would incur suspicions by profession of religious interest. It is of no avail to ridicule the idea of religious jealousy among those who are almost professedly violators of the laws of God and the statutes of the commonwealth ; we must take people as we find them, not as we think they ought to be. It is certain that some of the bitterest feuds and most inappeasable quarrels of the cells of our prisons are the result of difference in religious creeds, and it is no less true, that visitors to the prison cells who go with the intention of doing good, carry with them in their admitted deficiency of religious affinities the cause of that entire want of success of which they complain.

So the editor of a prison paper, who should scrupulously exclude therefrom all exposition of creeds, would find that it would be impossible for him to conceal his views of the requirements of those creeds ; or, to avoid exciting suspicion by a labored effort to escape from reference to creeds. Something really positive is necessary to good, and that positive quality cannot fail of evil if it be not in accordance with the preconceived opinion of those to whom it is addressed.

Men may say, "surely the teaching of the New Testament without dogmas must be enough." But we know that to many it is not enough, and even if it were, who shall satisfy the prisoner that what he hears and reads are the teachings of the Scripture ? If a man is utterly creedless, if he has entire indifference as to dogmas, and does not know or care what creed or church he belongs to, then perhaps he may be profitably approached by those who would persuade him to virtue for virtues sake, and induce him to adopt their teachings, at least until other temptations assail.

But it is a fact most worthy the notice of those who would deal with prisoners, that the tenant of the prison cell is not generally creedless, that just in proportion as he has violated moral laws and religious requirements, is he jealous of what he considers a true creed, because, under all circumstances of sin and danger, he has held that creed as a kind of reserve to which he could resort in the last or greatest extremity. It has been to him a sort of sheet-

anchor to be let go at the moment when all other aids fail. (It must be confessed that the sheet-anchor has not always had a cable.)

He will contend bitterly for that creed, fight for it, die for it, do all but practise it. Nothing arouses his susceptibilities more thoroughly than ridicule of what he *believes* he believes, and an immediate favor sorely needed by pressing necessities would be refused, if there accompanied it the least sign of hostility to, or contempt for, the sufferer's creed.

The disinterested missionary who shall approach the cell of the convict with the intention of instructing and improving the unhappy man, will find himself an object of suspicion so strong as to preclude all chance of usefulness, if he betrays hostility to the creed of his client. His appearance and his professions may be at least neutral, and his language soft and gentle, but like the rat in the fable the prisoner will feel, if not profess, suspicion of what seems only meal.

The question then arises, with this state of feeling in the prisoner, is it likely that a paper conducted by one hostile to those feelings can be made useful in the prison to that class?

Is it likely that one not holding the opinions of the prisoner will avoid giving occasion of offence?

It is not a question of right! it is not whether it would not be better for the prisoner to be less jealous of his opinions, or perhaps to be less willing to exchange them. The question is, "how, holding those opinions and being thus tenacious, he may be approached with hopes of improving his moral condition?"

We will suggest what appears to us a means of meeting the wishes of those that would gratify the prisoner with a periodical, and not prevent a beneficial use of that means.

It is generally admitted that the common newspaper, in consequence of the mixed character of its contents, is not the most beneficial means of supplying a great want to prisoners. Excellent as many of the daily and weekly papers now are, a part of what they must publish makes them not the most likely means of doing good to prisoners.

The religious papers necessarily contain matter that would arouse unpleasant feelings with the prisoner, who might think himself compelled to read the whole, while the particular parts and

perhaps the tendency of the whole would be most offensive to his established belief.

It would, it is thought, be difficult to conduct a paper for prisoners exclusively, without giving offense to many by inserting what must be abhorrent to established opinions, or defeat the whole plan of moral usefulness, omitting all of a positive nature, and making indifferantism take the place of a healthy positive creed; that is, a man with religious principles sufficient to qualify him for the place of editor of such a paper could not, without violating those principles, fail to make a portion of his creed the ground work of the morals he would inculcate, augmenting by that means the chance of improving the morals, and through the morals the physical condition of that part of his readers that sympathize in his religious creed, but proportionately hindering his usefulness with those who have been reared in an opposite creed and still retain, at least, a memory of its provisions.

If, then, the secular press, the existing religious press, and a press specially directed to the condition of the prisoner will not supply a confessed want, and still a prison paper is deemed important, there must be a compromise which shall insure most of the benefits proposed without disturbing the fixed opinions or prejudice of the prisoner, or rather, let it be said, which shall secure the great good of the prisoner by a careful avoidance of whatever would wound his sensibilities by conflicting with established opinions. The good object of a prison paper can be obtained (if at all attainable), by inducing the conductors of the best religious denominational papers to devote a part of each issue to the peculiar wants, habits and qualifications of prisoners. The amount of subscription to be secured by the extra demand for prisoners will ensure for any publisher matter in each, sufficient to meet the special requirements of prisoners, and, all this without the least departure from his plan of publication, and of course, without any interference with the denominational character of his paper. He increases his usefulness by opening a new channel for the truths which he means to propound and defend, and he ensures enlarged returns for his investment and labors, while the real friends of the prisoner who seek his temporal and spiritual welfare feel that they have pro-

vided means for amusement and instruction, and have divested those means of what would have diminished their usefulness to many and excluded them from all favorable action upon others.

The persons who habitually visit prisoners in their cells could take with them papers that suit their church. It may be said by some that "the religious visitor to the cells might not be able conscientiously to distribute papers that were not of his own creed." That may be so; but is the conscientious visitor of prisons to act upon the idea that nobody has a conscience but himself? If the Catholic would shrink from distributing papers that conveyed doctrines different from those which he professes, or if the Protestant refuses to give to the prisoner papers defending dogmas abhorrent to his conscience, surely each one of these tender-conscienced philanthropists might suppose that the well-informed prisoner would feel hurt, or at least would profess to feel hurt, at the presentation of a kind of reading that denounced or ridiculed the creed of his fathers, and disturbed the recollection of faith and piety that embalmed the memory of a beloved mother.

We have already said that it is vain to ridicule the religious creed of a man who has been convicted of crime and is undergoing the punishment awarded for that crime. He may not be altogether imbued with criminal intentions; the act for which he is suffering he may never have committed, or if he is guilty on that charge, he may not have been a frequent or devoted criminal. But, as it has already been remarked, it is often the case that even though guilty of almost every act on the catalogue of vice, he has a proper sense of what were his duties, and has a distinct remembrance of, and strong attachment to, the religious creed which had been taught him in childhood, though violated in youth and manhood.

The object is not to *convict* the *convict* of having done wrong; his situation is likely to prove that—it is to make him understand that it is better to do right, to make him more fully comprehend the evils of continuance in crime and to induce him, by a new life of virtue and an increase of the fear of the punishment as well as the consequences of crime, to seek to amend his ways. Nor is there anything inconsistent with the motives of goodness in addressing the fears of the convict, and through the fear of further

punishment to try to induce him to practise virtue. The great Apostle, who became all things to all men, set forth the *terrors* of the Lord, and thus *persuaded* men.

Treat with the prisoner, then, as if he had foundation for treaties; treat him as if he were worth saving; treat him gently with regard to his past offenses; treat him cautiously, prudently, with regard to his established opinions; treat his weakness with gentle forbearance; treat his prejudices with consideration; treat even his superstitions as if they were founded on some truth.

He will listen to persuasions thus introduced. Do not place between yourself and the object of your solicitude the barrier of ridicule or denunciation. Do not startle him with any attack upon the creed to which he professes to feel himself attached. If he is worth saving, spite of his prejudices or his own superstitions, he is worth saving at the cost of some prejudice and a little fixed opinion on your own part. "He is," you say, "on the very brink of destruction, tottering to his ruin." Then do not startle him, do not make him fall; but lure him back by gentle concessions.

When Leucippe lifted up her eyes, she saw her darling child sporting on the brink of a rock that, at a perilous height hung over the sea. She felt the danger. She knew that to call the darling by name would insure his destruction. She forgot all. She forgot her maternal dignity, wounded in the disobedience of her child. She sought no re-establishment of power. She wished only the salvation of her infant. And so, kneeling at a distance, she bared her bosom, and the little one crept back to her and nestled near her heart.

71  
JOSEPH R. CHANDLER.

J. R. C.

6/6/27







#### ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all orders of the Society, or of the Acting Committee, signed by the presiding officer and Secretary; and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested; only the income thereof to be applied to the current expenses of the Society.

#### ARTICLE V.

The Acting Committee shall consist of the officers of the Society, ex-officio, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover, to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

#### ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

#### ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

#### ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* fifth day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

#### ARTICLE IX.

No alterations of the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the presiding officer shall have the casting vote.

# OFFICERS OF THE SOCIETY.

1871.

PRESIDENT,—JAMES J. BARCLAY.

VICE-PRESIDENTS, { JOSEPH R. CHANDLER,  
WILLIAM S. PEROT.

TREASURER,—WILLIAM DUANE.

SECRETARIES, { JOHN J. LYTLE,  
EDWARD TOWNSEND,

COUNSELLORS, { HENRY J. WILLIAMS,  
CHARLES GIBBONS.

## *Members of the Acting Committee.*

Charles Ellis,  
Thomas Latimer,  
John M. Wetherill,  
James E. Kaighn,  
Alfred H. Love,  
George Taber,  
James Peters,  
William Nicholson,  
Samuel Townsend,  
Albert G. Rowland,  
Theodore Trewendt,  
William J. Mullen,  
William R. MacAdam,  
Thomas A. Robinson,  
John Livezey,

Henry M. Laing,  
Mahlon H. Dickinson,  
Lewis R. Conard,  
A. Jackson Ourt, M. D.  
Rev. Charles F. Diver,  
Benjamin Hallowell, jr.  
John C. Farr,  
Joseph Kinike,  
John O'Connor,  
Richard G. Stotesbury,  
George W. Hall,  
William Hawkins,  
Augustus Thomas,  
J. J. Woodward,  
William Vanderveer,  
A. H. Franciscus.

Rev. E. R. Beadle,  
William Ingram,  
Horace W. Pitkin,  
Harry Kennedy,  
William H. Burr,  
Samuel W. Jacobs,  
Asa S. Wing,  
Hamilton R. Hutchins,  
Caleb J. Milne,  
Isaac Baker,  
Leonard N. Walker,  
Clayton B. Rogers,  
Edward Marshall,  
Abraham G. Stein,  
Josiah W. Leeds,

## *Visiting Committee on the Eastern Penitentiary.*

John J. Lytle,  
James E. Kaighn,  
Alfred H. Love,  
George Taber,  
James Peters,  
William Nicholson,  
Samuel Townsend,  
Albert G. Rowland,  
Theodore Trewendt,  
John Livezey,

Henry M. Laing,  
Lewis R. Conard,  
A. Jackson Ourt, M. D.  
Rev. Chas. F. Diver,  
Benjamin Hallowell, jr.  
William Hawkins,  
Augustus Thomas,  
J. J. Woodward,  
William Vanderveer,  
Horace W. Pitkin,  
Josiah W. Leeds.

Harry Kennedy,  
William H. Burr,  
Samuel W. Jacobs,  
Asa S. Wing,  
Hamilton R. Hutchins,  
Caleb J. Milne,  
Isaac Baker,  
Leonard N. Walker,  
Clayton B. Rogers,  
Abraham G. Stein,

## *Visiting Committee on the County Prison.*

Joseph R. Chandler,  
William S. Perot,  
Charles Ellis,  
Thomas Latimer,  
John M. Wetherill,  
William J. Mullen,

William R. MacAdam,  
Thomas A. Robinson,  
John C. Farr,  
Joseph Kinike,  
John O'Connor,

Richard G. Stotesbury,  
George W. Hall,  
Rev. E. R. Beadle,  
William Ingram,  
Edward Marshall,  
A. H. Franciscus.

WILLIAM J. MULLEN, is Agent for the County Prison, appointed Inspectors, and acting under their direction, and is also appointed Prison Society.

NEW SERIES.]

[NO. 11.]

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1872.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB PRINTER,  
Nos. 306 AND 308 CHESTNUT STREET.  
1872.



# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow-creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

NEW SERIES.

NO. XI.

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND

Please notice and send a copy of your paper to the  
PRESIDENT of the PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES  
OF PUBLIC PRISONS.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1872.

JUN 24 1917

ROOMS OF THE PHILADELPHIA SOCIETY  
FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month (December) 21st, 1871, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS and Rev. E. R. BEADLE, D. D., presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Special Meeting of the Society, held Twelfth Month 21st, 1871, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretary.*

JOHN J. LYTLE,  
SECRETARY.

# TABLE OF CONTENTS,

## WITH AN ANALYSIS.

---

Why a Report should be made, . . . . .	9
The duties of the Acting Committee, . . . . .	10
Subjects for action of, and discussion by, the Committee and the Society, . . . . .	10
One of the best means of alleviating the miseries of public prisons, . . . . .	10
All questions of social science within the province of the Society, . . . . .	11
Intoxicating drinks the greatest feeder of prison cells, . . . .	11
The burglar and gambler avoid them when they have business on hand, . . . . .	11
Yet acknowledge them as the first cause of a criminal life, . . .	12
The Society sympathizes with all efforts to promote tem- perance, . . . . .	12
Reference to the Cincinnati Convention of 1870, . . . . .	13
Prison discipline becoming a subject of general interest through- out the State, . . . . .	15
Board of Public Charities, . . . . .	15

### ***EASTERN PENITENTIARY.***

The best field for philanthropic labor, . . . . .	16
The Warden, . . . . .	16
Number and character of visits to Penitentiary by the Com- mittee, . . . . .	17
Grant from the Legislature for aiding discharged convicts, . . .	18
Organized action of the Society for its proper distribution, . . .	18
Appointment of Agent for that purpose, . . . . .	18
The benefits resulting from this fund, . . . . .	19
Reasons why it should continue yearly and increase in amount, . .	19
Action on the subject in Europe, . . . . .	19



## CONTENTS.

v

The evils of the "self-supporting" system, . . . .	20
The successful efforts of the Agent at the Penitentiary, . .	21
Extracts from his report of cases, . . . . .	22

## COUNTY PRISON.

The Committee active, but not sufficiently numerous, . .	25
Obstacles to contend with, . . . . .	25
The ill effects of companionship amongst prisoners, . .	26
The need of an appropriation to aid discharged prisoners felt also here, . . . . .	27
Fund bequeathed by J. W. Pemberton, . . . . .	27
Legislation required to complete its transfer for this purpose,	28
The number of female prisoners, . . . . .	28
Their crimes, and the result of efforts to reclaim them, . .	29
The encouragement from prospective pecuniary means for aiding prisoners, . . . . .	29
Moral instruction. &c., . . . . .	30
Number and character of visits, . . . . .	31
Arrangements for the care of female discharged prisoners, .	31
These efforts greatly aided by ladies, . . . . .	32

## AGENT.

Mr. Mullen's varied duties, . . . . .	33
Cases showing the necessity for his services, . . . . .	34
Mr. Mullen's special fitness for the position, . . . . .	35
Extracts from Agent's report, . . . . .	36

## AGENCIES.

Their usefulness, . . . . .	47
The peculiar qualities necessary, . . . . .	48

## COMMISSION OF PUBLIC CHARITIES.

Its duties and powers, . . . . .	50
A full and interesting report, . . . . .	50
The arduous duties of the General Agent, . . . . .	51
Extracts from the report, . . . . .	52

**FOREIGN REPORTS.**

Extracts from report of South of England, . . . . .	53
The food and the punishment, . . . . .	53
Recipe for food, . . . . .	54
Hard labor, first class, . . . . .	54
"        second " . . . . .	55
Cost of maintaining prisoners, . . . . .	56
Efforts at improving the system, . . . . .	57
Close attention to the hygiene, . . . . .	57
Hints on the cure of parasitic disease, . . . . .	58

**PRISONS OF SCOTLAND.**

General Prison at Perth, . . . . .	59
Its division into departments, . . . . .	59
Lunatic department, . . . . .	59
Prison at Ayr, . . . . .	60
The great increase in the number of prisoners, . . . . .	60
The greater proportion females, . . . . .	60
Salaries of officers, . . . . .	61
Repeaters, . . . . .	61
Prevalence of scrofulous affections, . . . . .	62
Attributable to lack of meat diet, . . . . .	63

**ITALY.**

Revista di Discipline Carceraria, . . . . .	64
Prison reform awakening interest, . . . . .	65
The social evil, . . . . .	66

**HOME REPORTS.**

Massachusetts, . . . . .	67
More than half the commitments were for drunkenness, . . . . .	68
The centralization of all charitable and penal institutions, . . . . .	69
The tendency toward the separate system, . . . . .	69
Berkshire County Prison, . . . . .	70
The Washington Home, . . . . .	71

**RESULTS OF OBSERVATION.**

Want of sufficient number of cells in Eastern Penitentiary, . . . . .	71
How the excess in the Perth General Prison is avoided, . . . . .	72
The Irish system good for Ireland, . . . . .	73
The ticket-of-leave, how it results, . . . . .	73
The United States a Canaan for European culprits, . . . . .	73
Extract from report of Prisons of South of Germany, . . . . .	74
Carrying secret dangerous weapons, . . . . .	75
Comparison of crime in Italy and New York City, . . . . .	75
The indication of the increase of the habit of carrying weapons, . . . . .	77

**REMARKS UPON REPORTS.**

Arguments upon self-supporting prisons, . . . . .	78
Punishment for public benefit, not private revenge, . . . . .	79
The advantages resulting from the moral improvement of prisoners, . . . . .	80

**HINDRANCES.**

The necessity of not attempting too much, . . . . .	81
Intoxication the great evil and promoter of crime, . . . . .	82
The use of strong drink the means of undermining all moral feeling, . . . . .	83

**NECROLOGY.**

Death of Mr. Lewis R. Conard, . . . . .	84
His earnest efforts in the cause, . . . . .	85
Resolutions of the Society in relation to his death, . . . . .	82

**DESULTORY THOUGHTS.**

The Society's gratification at the advancement of their views, . . . . .	86
The reaction of public sentiment, . . . . .	87
Questions for consideration, . . . . .	90
Something besides mere punishment required, . . . . .	92
How may the convict be improved, . . . . .	93
Separate confinement defined, . . . . .	94
Errors in construction of prisons, . . . . .	96
Some good always found in convicts, . . . . .	101
Instance of judicious treatment and its results, . . . . .	102
Crime the result of vitiated habit of thought, . . . . .	104

The prison a place of improvement as well as punishment,	. 106
The promotion of thought an important element of good,	. 106
The contrast between persuasion and denunciation,	. 108
Qualities necessary in a superintendent,	. 109
The proper manner of dealing with prisoners,	. 110
Men specially fitted for prison officers may be found,	. 114
A keeper should understand how to control himself,	. 115
Remarks upon punishment,	. 116

### *INSANE CRIMINALS.*

Their cases occupying the attention of prison directors in England,	. 118
Necessity for legislative action in their behalf,	. 118

### *PARDONING POWER.*

Different views on the subject,	. 120
A committee of this Society considering the subject,	. 121
Reference to laws of New Jersey,	. 122

### *CONCLUSION.*

Remarks upon the progress of opinions,	. 123
The Board of Public Charities,	. 125
The old, active members of the Society work in the assurance that their efforts have Divine approval,	. 125
Closing remarks,	. 127

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## REPORT.

---

THE Acting Committee, in obedience to the rules under which it is appointed, respectfully presents to the Society the customary statement touching the discharge of duties devolved upon it. The provision which calls for an annual statement of the proceedings of the Acting Committee, is based upon a determination to make that statement the means of informing the public of the existence of the Society, and of the direction and success of its efforts. The Report, therefore, should be so prepared as to reach the sympathies of the public, even though it involved the necessity of addressing directly many who share in the proceedings that are reported, and must hence be acquainted with what is stated.

But it is not alone the actual proceedings of the Philadelphia Society for Alleviating the Miseries of Public Prisons that are to be reported and presented to the Society and to the world. These, it is hoped, would not be without interest to many who earnestly

desire improvement in prison discipline, but the vehicle of this Report is also a means of assisting the very object which the Society desires to promote—and what that Society has done is made more effectual by a statement of what other associations are doing. And, especially may the good cause be promoted by a discussion of measures proposed, and comparisons of systems and administrations.

Beyond all these, also, but in furtherance of the same object, questions that involve an understanding and a development of Social Science may be discussed; and measures that look to the diminution of the number of prisoners are to be considered, as well as those that regard the best mode of treating the convict. Whatever concerns the question of prisons—construction, law, administration, improvement, promotion of public safety, individual restraint—all are legitimate subjects for the action of the Committee, and of discussion by the Society and in this Journal,

One of the greatest means of alleviating the miseries of public prisons is preventing their population. To save the erring from crimes, and to save the prison from crowded cells. It is an excellent office to meliorate the condition of the occupant of a prison cell—to lead him to review his life and resolve to reform—but it is a glorious work to save men from the cells, and ensure to them exemption from all repentance excepting that for wrong opinions. .

Social science has this work before it. This Society accepts its share in the labor, and avows its readiness to undertake its duty. As it earnestly hopes that in its

past there has been no appearance of neglect, so it feels confident that in the future it will be recognized as assisting in the perfection of a good work, which it labored to make popular when that labor was liable to misrepresentation, from misconception alone. The work is ample; all questions of social science, all that makes up the comfort of the citizen, all that induces self-respect, and leads to virtue, all that promotes respect for law, a regard for the rights of others—all that softens and mellows human association, all that lessens individual disquiet and anxiety, all that “makes man mild and sociable with man,” tend to diminish the temptation to craft and violence, tend to awaken and strengthen human sympathy—and therefore tend to lessen the probabilities of imprisonment, and to diminish the sufferings of the prisoner. All these, then, concern this Society, and if we do not directly assist in the promotion of some great scheme of public good, we nevertheless give it consideration and countenance, and it has the best wishes of the Society for its success.

Few practices have tended to fill prison cells as much as has the inordinate use of intoxicating drinks. It is believed by many persons that all other causes combined do not produce as much evil as does intoxication alone. And an inquiry at the prison cells seems to confirm even this last estimate of the evils of drunkenness. It is said the burglar and the gambler never drink much when they are about to exercise their infamous callings. That is probable, but it is also pretty certain that these operators use the opportunity of an occasional abstinence from professional crime, to compensate themselves for

such enforced abstinence from liquor—and they treat resolution—when sobriety is no longer necessary to crime.

Yet it would seem that intemperance in the use of intoxicating drinks enters into the ingredients of all causes of debasement and criminal action, and the felon who values himself upon his pre-eminence as a burglar and robber, and looks down with a degree of self-complacency upon the mere sneak thief or pickpocket, will admit that his talents for his particular branch of felony might never had cultivation, if intemperance had not kept him from the ordinary legal means of earning a living. All this being admitted, it is evident that with the diminution of drunkenness will be a correspondent lessening of imprisonment. Yet this Society, while it desires the suppression of such a means of crime as intemperance proves to be, has not felt called upon to resolve itself into a temperance society. It has its specific work, and in that it finds ample employment. The several members, as they feel inclined, labor on some other specialty, without feeling that they violate any of the rules of the Society, or that they involve their fellow-members here in any pledge to ulterior objects. Hence, while this Society has earnestly labored in the cause of prison discipline, prison structure, prison administration, and prison reformation, it has not felt at liberty to jeopard the great interest to which it stands pledged, by dividing its means and its labor with other associations. The Society, however, willingly admits that whatever diminishes the number of prisoners alleviates the miseries of prisons, and its members wish ample success to all labors, all associations, that are di-



rected towards the improvement of their fellow-beings.

The meetings of the Acting Committee have been generally well attended, and questions of interest, when presented, have been well considered and properly discussed. And it is a source of gratification to be able to state that the earnest feelings for measures that seem to promote good have, while leading to warm debate, never degenerated into inappropriate hostility, but that true spirit of self respect and respect for others which has been characteristic of the meetings of our Acting Committee, and which has been manifested in the dignified bearing of the contestants and in the action of the less active members, has ever prevailed.

In our last year's Journal we made reference to the Convention on the subject of Prison Discipline, held in Cincinnati in the September of 1870. We gave one paper prepared for that Convention and subsequently published in its official report of proceedings; we also criticised one of the papers that had been circulated before it was presented to the Convention. The volume containing the proceedings of that body and the essays prepared for it is of a goodly size and of much interest. As some of these papers contain views hostile to others we shall not be considered as discourteous if we say that many of them contained views that are impracticable, recommended measures that would deprive the discipline of the Prison of its power of improving, presented the Penitentiary as a machine for money-making, and uttered statements that closer observation shows to be incorrect. We do not regret the Convention nor the

publication of all the essays. The holding of such a congress as that at Cincinnati will, while it shows the existence of a new and enlarged interest in the subject of prison discipline, act to the augmentation of that interest, and what is more, to the direction of it.

The essays or statements will be read with pleasure as the views of individuals; in some cases of individuals not well informed, but still leading to inquiries that will correct existing mistakes, and perhaps prevent the commission of others.

Perhaps the best papers in the Report of the Cincinnati Convention are those that discuss the personal treatment of prisoners in some of the penal and semi-penal institutions of this country. It is really on that point that information is required, and the experience of a man who has tried to establish a system of government in prison is of great importance, whether he succeeds or whether he fails, provided that he does not think that he has succeeded when in reality he has failed.

It is evident that the Convention at Cincinnati, in 1870, was intended to be only a prelude to a larger meeting of the same character in Europe, and that it is intended that there shall be such a development of opinions and such a presentation of the character and operation of existing institutions as will influence and, perhaps, harmonize the views of prison discipline throughout Christendom, and perhaps in Turkey, in Egypt, and Syria.

It is pretty evident that on these questions the people of this country think they are in advance of European

nations, while it is scarcely less evident that all European nations will hardly consent to profit by what we think our superiority. Old notions, old prejudices, old objects, and old prison houses will interfere with the progress of prison discipline in Europe.

With regard to the advance of knowledge in the science of prison discipline in this State, we can say that we feel confident that from one end of Pennsylvania to the other there is manifested more or less of an earnest feeling for the improvement in all that concerns our prisons. We must not suppose, because in certain parts there are no evidences of determination of promoting the work, that there is no desire for it; nor must it be imagined that because nothing is said nothing is intended. People are thinking of the matter, reports are read, discussions are listened to, and propositions are received for consideration. The difference in opinion, as it regards system, hinders the work—and the chance of saving the county some expense, by securing a pecuniary profit from the labor of convicts, is weighing heavily against the more costly plan of improving the convicts. The loss of a few thousand dollars at first to the community of tax payers, by the support of convicts, is thought to be of more consequence than the acquisition of a few good men and women by the improvement of the convicts.

The establishment of a BOARD OF PUBLIC CHARITIES has diminished, in some degree, efforts for prison improvement, while it is admitted that the fulfillment of the requirements of the law creating that Board will tend to the more faithful, uniform and

economical administration of prisons, penitentiaries and charities.

Meantime, while there is a pause in the movement in some quarters, and active exertions in others, the Committees of this Society have not felt embarrassed. There is much to be done at home, and really much in other parts of the State, and there is evident the right spirit influencing throughout.

---

## EASTERN PENITENTIARY.

The Eastern Penitentiary is, by the homogeneousness of all circumstances, the best field for philanthropic labor. The separate confinement in practice there, is a condition almost necessary to a proper dealing with a prisoner, a *sine qua non* to full success—or rather of hopes of success—men sometimes succeed by accident where there were few grounds for hope.

The Warden of the Penitentiary is not only a member, but an officer of this Society, and was, long before his acceptance of the place of Warden, a regular and most effective Visitor, appointed by the Society to the Eastern Penitentiary. It is not necessary, indeed, that the Warden should be a member of this Society to fit him for the work of charity, but it is encouraging to know that one with such power for good as is possessed by the Warden of the Penitentiary should have been schooled in the best organized plans of effecting that good, and, in his case, that he knows how to combine

the direction of all the duties of administering the Penitentiary as a penal house with those that belong to a humane and persistent plan for the improvement of those that are to be punished.

Thus, then, the door is open for the good work of our Society by its large Committee, appointed by the Acting Committee for the Penitentiary. There has never been any hostility to their labors by former Wardens or the existing Board of Inspectors. But the members of the Committee feel easier in their calls at the cells and their movements through the Penitentiary, when they feel that, while any encroachment upon rules must be firmly but courteously noticed, all their efforts within rules have the full sympathy and the hearty concurrence of the Warden.

While there is maintained in the Penitentiary a regular moral instructor and teacher, as a part of the *personel* of the place, the members of the Acting Committee of this Society assigned to that prison are earnest and constant in their attendance, and maintain an organization that ensures effective labors—and those labors have been blessed to the improvement of many convicts.

Those members of the Acting Committee of the Society who are detailed for service at the Penitentiary have been faithful and laborious in the discharge of the duties assigned to them. It is stated that for the eleven months succeeding December, 1870, the number of visits to the Penitentiary by members of the Committee was - - - - - 622

The number of visits inside the cell - - 4,066

And the number of interviews at the cell door 4,420

And the number of prisoners separately and specially  
visited - - - - - 5,102

Here is the great secret of success—private, special, personal dealing with the prisoner; an hour thus devoted is more promotive of the great work of reformation than a month given to couples or classes.

The last Legislature of the State granted to this Society the sum of three thousand dollars, to be used in aiding convicts discharged from the Penitentiary in returning to their homes, providing them with clothes, aiding them in procuring situations or employment, and assisting them in any other way that their situation may require. Something of this kind has, of course, been attempted for a long time, and great good has been done for the poor, discharged convict; but the want of sufficient means has rendered any attempt at organized action of little moment. But the reception of the sum at once suggested the necessity of an organized action by which correspondence shall be opened with distant places and persons, by which service or employment may be procured, and a constant correspondence maintained with both employers and employed.

Calculating on the continuance of this appropriation, so that the receipt may be annual, the Committee, with the sanction of the Society, engaged the services of a gentleman familiar with the wants and capabilities of the outgoing convicts, the Rev. Charles F. Diver, who, it is now believed, will have a situation for every discharged convict who may, before leaving the Penitentiary, manifest a disposition to do good, and a desire to be aided in pecuniary matters, procuring employment,

and in reaching the place of action. Tools and clothes, advice and every assistance thus await the convict who may evince a deserving of such attention.

It is to be greatly desired, that the appropriation made for this year to this Society, for the benefit of convicts discharged from the Eastern Penitentiary, should be augmented and continued annually. Good—individual, social and public good—must result from a judicious application of funds in that direction, and we feel sure that every exertion will be made by the Committee of this Society on the Penitentiary to give to the fund the right direction, and enable the Agent to carry out the charitable views of the Legislature of the State and the plans of this Society.

We see in most of the reports of prisons in Europe that attention is given to the subject of providing for discharged convicts. The great Irish system owes most of its hold on the public approval to the fact that it provides some means for aiding its well behaved convicts when they leave. Unfortunately for *this* country the success of that plan of enabling the convict to earn a little money depends almost entirely upon the fact that money which the "ticket-of-leave man" receives (however obtained, whether by industry or calculating charity,) is usually expended in the payment of a passage from England or Ireland to this country, and crowding our cars, the corners of our streets, our places of amusement, and even our places of worship with persons who, having "left their country for their country's good," come to occupy our prison cells whenever

their felonies are not sufficiently ample to keep them from trial or the working out of a sentence.

In our Eastern Penitentiary the Committee of this Society make themselves acquainted with the exact circumstances of certain convicts, and often learn from them the exact amount of their crime, and are enabled to judge of their professions of repentance and of their desires to obtain an honest living by any employment of which they may be capable—and these Committeemen then confer with the Agent, and his inquiries, verbal or by letter, soon enable him to find a place for the repentant offender, and means are supplied to enable him to reach the place of destination, and to put himself in condition to do the kind of work required of him.

Abroad, the great end of prison discipline seems to be to enable the discharged convict to leave the place where his crimes have made him generally and unfavorably known. In some places the great end of Penitentiary punishment seems to be to make the Penitentiary a profitable establishment, in a pecuniary point of view, so that the felon departing may take with him no recollection of kindness to mitigate the effects of a soured temper. When he shall return to the Penitentiary, he may be qualified for still more profitable labor. Prisons thus conducted have one claim to attention, they manifest an ability to keep up their labors, by careful preparation of their laborers to renew their relations with the House that makes their felony profitable by insuring its permanency.

If the appropriation by the Legislature should be made annually, as we expect it will, an amount of good



will be done that must be eminently gratifying to those whose spirit of liberal, judicious legislation, has founded the means of good. Benefits from this kind of appropriation will be in proportion to the amount, because the Society has plans and assistants to turn to the most efficient and the most valuable use every dollar that is placed in its hands.

We feel the importance of an effective Agent, and we have under our own eyes the results of the labors of the reverend gentleman who is the Agent of the Society, at the Penitentiary, and though it is not quite within the prescribed limits of this Report to present *in extenso* the statement of the Agent, yet as the statement of Mr. Diver is the first that he has made to the Acting Committee, and as it shows not only a great success, but the means and ability to enlarge that success, we feel that we are inviting others by the most persuasive argument to assist in the good, when we show how greatly good that work may be made.

Success is said to be the parent of success—certainly the success that has attended the efforts of Mr. Diver, will tend to beget that respect for and aid to, his services which will ensure enlarged success.

We add a part of the first report of Mr. Diver to the Acting Committee. It appears to us that as a statement of first efforts, it entitles him to the cheering salutation of "Well done," and the encouraging epithet of "faithful servant." The cases given are only a few of those reported by Mr. Diver.

It becomes necessary to repress a part of several of the cases, and to exclude the whole of others, that we

may not produce injury to the subject, by making him known.

#### REPORT OF THE AGENT FROM THE PENITENTIARY.

Your Agent has endeavored to give all due diligence to the discharge of the duties devolving upon him. He has, previous to the discharge of any prisoners, by frequent visits endeavored to find out all that was necessary in regard to the habits and circumstances of the particular prisoners, with ultimate reference to an intelligent course of action, for their good. He has also availed himself of any information that may come from other proper sources. He has then counselled and instructed them according to their need. It is a point with your Agent to allow no prisoner to leave the gate of the Penitentiary without his company therefrom, except in such cases where there is evident reason to the contrary of such a course. It is a source of great good to the prisoner, and great help to your Agent, that your Committee are enabled to provide suitable clothing, and where desirable and prudent, to grant pecuniary aid; *this* gives a power to our advice, and gains a great influence over them. But this is more clearly illustrated by facts, as seen in specific detail of cases,

5,968. This was a case of commitment for forgery, five years sentence. This case was discharged tenth month (Oct.) 10th. Has required attention till within a few days past, the prospect now is, that having found employment, he may succeed. He received from your Agent some outfit for a decent appearance, and since then, articles of wear for work. He has also received, in order to reach the result of employment, ten dollars in cash, for which he has given his receipt, with the written promise of returning it when able. About the first thing done in this case, was for him to rent a room, which was secured (with furniture) for \$1.50 per week. He is to receive one-third of the profits resulting from the sales of the business he is in. There is that, in reference to this case, your Agent can give a statement, that would not be necessary or expedient to write out. It is, however, one that illustrates the good that may come of the particular efforts of your Committee.

6,786. A youth about twenty years of age, charged with burglary and attempt at felony, one year sentence. His promises were all very fair, and your Agent hopes for the best. His time of discharge was on tenth month 15th, but at your Agent's request (as the 15th was Sabbath), waited till Monday. He received coat, pants, hat and socks; went with him to procure a ticket, thence to the railroad depot, found a place for him to get breakfast, and he was soon on his way home. What dangers he may have been saved from by this care, none of us can tell. Except the clothing, he provided for his own expenses.

6,650. Charged with larceny, sentenced to one year and six months. A ticket was procured for him in advance, for which he paid himself. Gave him coat and hat. Your Agent with this one and the foregoing case (6,786), with one each side of him, found his way to the railroad depot, Thirteenth and Callowhill, and by 8½ A. M., saw the cars start with him to where he had no doubt of finding honest employment.

Then went with 6,786, to Thirty-first and Market; and by way of episode, allow your Agent to state that he concluded to walk back over Market street bridge, and when half way over, he was addressed by a youth in company with a colored youth of the same age, and was cheered to know the instructions your Agent had given them both, (when in the "House of Refuge") were not lost; they were both honestly employed. All this before 11 o'clock, on Monday, 16th tenth month.

6,241. A native of Virginia, sentenced from this city, on charge of larceny, for the term of three years, one month, and three days. His term expired by commutation, tenth month (Oct.) 17th. His outfit was provided for by himself. Your Agent fixed a time and place to meet him after his discharge. Your Agent, at the specified time and place, found a neat and nice-looking young woman, who handed him a note, which says: "My wife will hand you this. I am hard at work; buying tools and paying rent has reduced my eleven dollars very low; with the blessing of God, I'll endeavor to be an honest man and a good member of society. I thank you kindly and from the bottom of my heart for your sympathy and

good advice, &c., &c." Your Agent started at once with his wife to the place where he had designated, and found him in second story back room, hard at work at shoemaking (which trade he had learned during his confinement in the Penitentiary). He was seated on an ordinary chair, with none of the conveniences for his work. Everything looked neat and cleanly in the room he and his wife occupied. Your Agent, that afternoon, had a shoemaker's seat ordered to be sent him; the next day, in company with another member of our Committee, called, and agreed to give him an order to the amount of three dollars, in groceries. He and his wife were very grateful for this seasonable aid. He thought he would be able to earn sixteen dollars a week, and may do better than that after a while. Surely when we see such an instance as this, at so little cost to encourage and help one in such circumstances, we are surely encouraged in the work of our Committee.

6,250. Discharged. tenth month 19th. Fixed time and place to meet him, was very particular to write it on a card for him. The time came, waited nearly an hour, left word if he came, for next day. Went again, but he did not come. Have heard that his wife had died with small-pox.

6,197. Committed for manslaughter, term of five years. Discharged eleventh month (Nov.) 6th; his time expired on the 5th; it being first day, or Sabbath, he agreed to remain till Monday. Concerning him, it is noticeable that he demeaned himself very exemplary during all the time of his confinement, and gained the good-will, if not the affection of all with whom he had to do. He also made very considerable advancement in useful branches of learning. His regular visitor was very much interested in him, and aided and encouraged him in every good work. Your Agent went with him on his discharge, and was greatly favored by securing him at once a place for work, at the shop of a cabinet-maker. He then took him to a place for temporary board, until more suitable arrangements are made, which are promised. He gave into the hands of your Agent, twenty dollars, money he had on hand, leaving him to keep some three dollars. He is a German, and not acquainted in this city, and has received all the care necessary to meet his case. He manifests the

deepest gratitude and thankfulness for the attention shown him, and there is every reason to hope for him good in the future. He received in clothing, coat, pants, drawers, vest and socks.

---

## COUNTY PRISON.

The work of the Society is continued at the County Prison. The harvest is great, but the laborers are few. The work at the County Prison is abundant, but there are drawbacks. The Committee that attends to the different parts of the Male Blocks have as much as its members could do were they all, all the time engaged—and this, we know, cannot be; most of the Visitors are business men, whose time and attention are required elsewhere; some are regular and frequent, and all, it is believed, do the best and produce the most that time and hearty effort can accomplish under the unfavorable circumstances of the place. That is, with the infrequency of the visit, the frequent change in the *personel* of the cells, and worse than all, the companionship of prisoners in the cells. These are obstacles to the means of improvement, and they augment labor and diminish hopes of success.

We occasionally hear from a Visitor that he finds it pleasant to visit cells that have in them two or three prisoners; he can deal with all in the same time and with the same words that are bestowed on a single convict, and he has not, as he says, found any want of attention, nor doubted of the good effect of his wholesale ministration.

If that hopeful Visitor could hear the comments upon his lessons and monitions which are made by his auditors, he probably would think that the smaller the audience the better, whether it be at his instructions or at the criticisms which follow.

Very few of the male convicts are so bad as to insult a man who evidently comes to them with kind intentions; and all of them know that sneering at sacred subjects is not the way to make friends and gain favors, so they listen with courtesy and often with improvement, to the lessons of their Visitors—but it frequently happens that while one of the prisoners is touched by the gentle appeal and good advice of the speaker, his cell companion, as soon as the Visitor is gone, takes occasion to ridicule the style, the manner, or the words of the friend, and the whole work of the visit is destroyed. Men in certain situations may resist argument with argument, or at worst, may contend for principles laid down, while they admit that they do not mean to adopt them—but ridicule seems to be stronger than argument, and though it may not be a *test* of truth, it is often—and especially in a cell with more than one prisoner is it often truth's most powerful enemy.

We have come to the conclusion that the chances of improving prisoners where there are more than one in a cell is very small, especially if the visits and lessons are not frequent. But it does not follow, hence, that those visits are not to be made or those lessons not given under the adverse circumstances of a crowded cell. The work is to be done—done steadily, faithfully, done under all circumstances. The results are in God's hands.

Among the means of doing the great work of improving the conduct and restoring the character, is the care for him when he has finished his term of imprisonment. We have already said that the State has appropriated a sum to assist discharged prisoners from the Eastern Penitentiary, and that the Society has adopted measures and appointed an Agent to see that this appropriation by the State be exactly and economically applied to the best good of the discharged convicts.

The County Prison, which is really a City Penitentiary, has about the same need of an appropriation to aid discharged prisoners as has the State Penitentiary. It is proper to state here that a considerable sum is every year expended at the County Prison upon discharged prisoners. The appropriation for Prison purposes supplies, to a small amount, money for those that deserve aid, and individual liberality, privately applied, has assisted. But more is needed, and more might be used most advantageously, for the discharged convict and for the community. The Agent watches with care the prisoner about to be discharged, and aids by advice, by securing a few days support in the city, or a railroad ticket to go hence, and a little money to find food. Visitors of this city assist in this good work, and are rewarded by occasional assurances that the object of their care, their solicitude, and their pecuniary expenditure has settled down to steady work and is acquiring desirable respect.

Recently, a fund bequeathed by J. W. Pemberton for the purpose of aiding imprisoned debtors, and which had, by the accumulation of interest, risen to the

amount of nearly eight thousand dollars, has been directed to the benefit of prisoners in the County Prison. Imprisonment for debt having long since ceased in this State, and the old Debtors' Apartment of the County Prison having been transferred to the Prison Inspectors for the general purpose of the Female Department, legislation will probably be required to make this fund fully operative to the purposes of discharged convicts.

When the transfer of this sum shall have been completed the income will make a considerable addition to the Society's means of assisting discharged prisoners in the way most required by their condition. Meantime, let us honor the memory of Mr. Pemberton (who, perhaps, never owed a dollar) for his charitable consideration of those who were placed in prison on account of debts, and let us thank God who put it into the heart of the benevolent donor to propose and provide means for such a charity. And especially let us be thankful that He also put it into the heart of the legislators of this State to declare that misfortune should not be so confounded with crime as to permit of the imprisonment of a poor debtor.

The County Prison contains, and has for a few years past had an average of about eighty females, counting all of every class, convicts, drunkards, &c.; some of these are in for a first offence, or, perhaps it would be better to say, the first charge or conviction. Some of them have been, under various names, regular visitors for several years. A few will not take the trouble to try to be good, and what they do of evil seems to be



rather an accident of condition than any "aforethought" cause. All of these are, under some circumstances, reclaimable, and some that really seemed to have returned to the mire so often that it would be difficult, by washing, to separate them from the filth of a condition that appeared to be suited to their tastes and the accidents of their position. Yet, even the lowest of these have been placed where the peculiarly operative temptations to which they have succumbed so often and so long do not exist, and impurity, impiety, intoxication and larceny are not the natural or artificial results of any circumstances. And these very persons have been found pretty industrious, quite sober, pure and honest, and have had the credit of living some years without giving cause of pain, and of dying, if not in the odor of sanctity, at least with no evidence of an "offensive conscience," and certainly with the kind regards and humane care of those whose good example and whose self-denial had freed them from temptations, and allowed their lives to close in quiet, and their deaths to come in peace.

The probable addition to the means of aiding prisoners discharged from the County Prison is eminently encouraging to those who take an interest in the cause of prison amelioration. Not only can much good be done directly with the income of this sum, but the hope is greatly strengthened that others, seeing the benefit to flow from such liberality, will augment the benefit by adding to the pecuniary means. We feel that the greatest stimulant to additional contributions must be the evidence that the existing means are well applied; that

judgment, prudence, economy, and foresight direct the application of every dollar. Carelessness, misapplied benevolence, and indifference as to the future of the beneficiary will check the liberality of the humane. Most people know that injudicious contributions are likely to work more evil to the receiver than real want. Knowing this, we venture to promise, on the part of the members of the Committee on the County Prison, great circumspection, constant watchfulness, and a full restraint upon an inclination to be rather liberal than just. Charity is often found in wholesome restraints. Lavishness is as productive of wrong as parsimony. We believe that the members of the Committee know their duty in this regard, and will win confidence by the entire discharge of that duty. They are not without a knowledge of what is wanted, nor are they ignorant of the means by which these wants may be judiciously supplied.

In the County Prison there is stated preaching every Sunday, with the usual accompaniments of prayer and singing. And a zeal for the cause of temperance, or rather the attempt to prevent entirely the use of intoxicating liquors, has led to several very effective addresses to the prisoners of both sexes, on the necessity of abstinence from intoxicating drinks. The result of these labors, though some have asked to sign the pledge, is not known, as, while they remain in prison, they are debarred the use of strong drinks, but it is believed that one or two of the convicts have adhered to their resolve, and kept clear of intoxication. Nor can it be said that the exercises, purely religious, have been without direct

beneficial effects upon some of the imprisoned hearers. No doubt they have aided, they have prepared the prisoner to receive with profit the private lessons which the regular visitor to his cell has given.

Good women continue their visitations to the prisoners of their own sex, and excellent proof of the good operation of these labors are observable.

The Committee on the County Prison are attentive to their duties, and report about eight hundred visits for the year. These visits are all in the cells of male prisoners, and at the doors of the cells of females. There are several ladies who are regular in their visitations to the female prisoners. These women visitors go into the cells of their clients, and are always well received, and may felicitate themselves on great good effected by their devotion.

Of course no prisoner is compelled to receive any of these visits. They are as voluntarily received as they are freely given.

What the female needs when about to leave Prison, is the assurance that she is not to be again thrown upon her own resources. It is most certain that a large majority of female convicts do resolve to do better, to avoid vice and try to be virtuous. To second that resolve and secure its fulfilment, is the great business of our Society, and as a most efficient means, we may cite the fact that the keeper of the Female Department holds a regular correspondence with respectable families, at some distance from the city, on the subject of "help," and almost every female convict that leaves the Prison might find good employment in the families of residents

in Chester and Delaware Counties, and in West New Jersey. It is wonderful how many of those who go thither "do well." Some, indeed, return upon a frivolous excuse, and, meeting with old friends, fall into the old indulgences, and return to prison, and then take a "new departure," and return to their places, and do better.

It is difficult to speak of this kind of "intelligence of fice" plans in the Prison in terms too highly complimentary. Many persons we know have been entirely saved by this means. Those who know the value of a human being, can calculate the benefit of having saved twenty or thirty erring women, and restored them to usefulness and rational enjoyment. Something, too, may be said of the courageous women who, notwithstanding the caution of the suspecting, receive into their houses the miserable of their own sex, who are trying to rise into decency, with the dead weight of impurity, felony, and intemperance forcing them down.

How gratifying must it be to the head of a household to look among the "helps" of her housekeeping and find one or two who not only have been taught efficiency in the labors of the family, but who admit that the restrictive kindness, and the measured confidence of the employer have been to the employée the means of confidence in her own good resolves, and of self respect arising out of that well-tried self-dependence.

If it is something for the woman who has been taken from a prison, where she had expiated the crime to which vice had led her, to retire from her work at night in the enjoyment of a good conscience, and an ab-

sence of fear from any error, actual or imputed, much more must it be consoling to the mistress to know that by combating strong prejudices and incurring a little risk, she has secured to her dependent the enjoyment of a good conscience and absence of fear. There are good women, excellent housekeepers, good livers, with ample pecuniary means, who profess a duty to assist the erring of their own sex, not by recommending them to others for trial, whose suspicions would certainly produce a failure, but by taking them and the risk into their own houses, and warming the nascent resolves into a fruitful expansion, and if not giving to society useful members, at least making the objects of their gentle cares happy in a consciousness of virtue that never could have developed without the kindness and confidence which they have experienced.

---

## COUNTY PRISON AGENT.

At the County Prison the agency of this Society continues in the hands of William J. Mullen, who is constant in his attention to the duties imposed upon him by the Society. At the Penitentiary the duties of the Agent are limited to attentions to the convicts, and especially to assisting them with means and work as they leave. The duties of the Agent at the County Prison are multitudinous, requiring constant vigilance, immense patience, and considerable knowledge of the rights as well as the wrongs of the prisoner. He has

less to do with convicts than with the untried accused, and has as much necessary intercourse with the prosecutor as with the prosecuted. If it is evident, as it often is, that the accused is innocent, the Agent has to be active and earnest to procure a withdrawal of the charge and hasten the discharge. If the offence is that the accused has been only a little worse than the accuser, then concessions are to be made, and the suit withdrawn. Sometimes there is evidence of flagrant injustice in the imprisonment, and the prosecutor is made to understand that such malice may recoil, and he be made to take the place of the present sufferer. People who pursue prosecution as the best mode of securing revenge, or of gratifying a bad temper, have no relish for their own prescription—they dread imprisonment, and so save themselves by saving others from prison.

Sometimes it is necessary to interpose in behalf of a wife or mother who has really violated some of the proprieties of a good neighbor and some of the requirements of the law. The family suffering more by the absence of the female head than society is likely to suffer from her rather unrestrained habits of voice and limb, and so the pledge of removal and of amendment being obtained, the complainant agrees that the case shall be withdrawn.

Sometimes, where there is a considerable breach of trust, and the offence is the beginning of wrong, the Agent interferes, confers with the prosecutor, and the offender is saved from that punishment from which, as a business agent, he could scarcely have recovered.

One instance of that kind may be mentioned: A man, whose whole life up to that time seemed then; and seems now to have been marked by no crime or vice, was received into confidential employment, and he abused the confidence and was imprisoned; by the Agent's conference with the injured prosecutor, the latter withdrew the charge before trial, and paid the passage of the offender to Europe. Of course there were dealings with the mind and conscience of the wrong-doer, but there was confidence in the profession of repentance, and as the *occasion* of the wrong was past, there was the evidence of sound philanthropy in the action and liberality of the prosecutor in sending the offender back to his family.

Mr. Mullen's successful interference in cases, and his judgment as to their claims upon efforts towards their settlement, have given much importance to his interference, especially as his judgment seems to discriminate as to the merits of the case. He therefore becomes an "institution" in his branch of ameliorative justice. It is gratifying to state that the Agent of the Society is regarded with favor by the Courts, and his good offices are often promoted by the judges, who see that his interference may be beneficial in every way and in no way injurious to the cause of justice.

We subjoin a few cases from Mr. Mullen's report of proceedings, premising that while of these some are of great importance, there are hundreds every year that are less striking by the character of the offence, but of deeper interest from the effects of his success upon the family circle, broken by the sudden withdrawal of one

of the parents. An abundance of misery has to be encountered in attending to single cases, but immense suffering, resulting from domestic feuds, is diminished by the action of the Agent, and the costs of the Prison and of the Court are greatly lessened by the success of his efforts to settle cases.

### MR. MULLEN'S REPORT.

NUMBER 1—Was that of a woman who had been committed to prison upon the charge of homicide; it being alleged that she had pushed her husband down stairs, thereby causing his death. As she had a good character, and was the mother of three little children, the youngest of whom was but two weeks old at the time of the occurrence; and as she declared she was entirely innocent of the charge; for these reasons, the Agent pitied her in her helpless condition, and procured for her able counsel, in the persons of Messrs. William N. Ashman, and Ashton, who assisted the Agent in bringing the case before the Court in such a favorable light, as to induce District Attorneys Sheppard and Hagert to ask the Court to instruct the jury to render a verdict of not guilty, in her case. This request was complied with by Judges Peirce and Finletter; after which the prisoner was released, and some money was given her at the time, by the Agent, all of which was done without costs or expense to the prisoner or her friends. The Agent saw that more than twenty witnesses were brought into court to testify in her favor. The facts of the case were these: On the night of the 18th of January, 1871, the husband of the defendant was found at the foot of the stairway of the house, at the corner of Eighth and Emeline streets, with his skull fractured. He and his family occupied an upper room of the house. The testimony was to the effect that the husband went home in company with another man, and when he walked up stairs the wife met them, and she complained. This man, who accompanied him, then left, and, as alleged, the defendant put her hands on her husband's shoulders and pushed him, and he fell down stairs, and his skull was frac-



tured. As it was doubtful as to whether the push caused the fall, the jury rendered a verdict of not guilty. The deceased was very drunk at the time, and had often fallen down stairs before, when intoxicated.

NUMBER 2—Was an interesting case. It was that of a small boy, about seven years of age, who had not been in prison, but whose master had been imprisoned in default of bail to the amount of eight hundred dollars (\$800) for his appearance at court, for maltreating the boy. The Agent refused to help this man; but, at the request of Inspector Keichline, took a position in defence of the boy, and consulted Judge Allison, who suggested to the Agent to apply for a writ of *habeas corpus*, to bring the child before the Court for protection. The Judge granted the writ to the Agent, which was finally heard before Judge Ludlow; with the aid of William N. Ashman, who kindly acted as counsel, at the request of the Agent. We give the following account of the case, as reported for the *Press*, February 6, 1871:

“CASE OF CRUELTY.—A man named D’Atalie, known as the ‘Iron Jaw Man,’ together with his wife, and a child called ‘Young Zephyr,’ some time ago were performing in this city.

Last month the man was arrested, charged with assault and battery upon the child. Bail was entered by him and he fled, leaving the child behind. On Saturday an application was made to Judge Ludlow, by William J. Mullen, Prison Agent, to have the child remanded to his custody. Alderman Nichols, who had held D’Atalie to bail, produced the child in court, and stated that after the hearing before him, he took the child to the District Attorney, and showed him the condition of the little fellow. That gentleman pronounced it the most outrageous case of brutality he had ever witnessed, the child’s back being covered with welts and scars, and his face exhibiting scars and cuts. The little fellow was placed on a bench in front of the Court, and being questioned by Judge Ludlow, said that ‘he was seven years of age, and his name was Harry Gilbert Gratton.’ He lived in London, but could not remember the number of the street; and about seven months ago he was stolen

by D'Atalie from his parents. This man beat him with a strap because he did not balance seven tumblers full of water upon his forehead. He was practising upon some chairs, and because he did not do it right, the man knocked him off the chairs with a strap. (From this blow there remain scars upon the side of his head and forehead). The woman balanced a cannon on her shoulder, and he used to touch it off; and when he did not do it right, the man beat him. The man used to balance him on his chin, and when he did not straighten up enough, the man would bite his feet. The man would beat him when he did not perform right." Alderman Nichols stated that the child's feet, at the time of the hearing before him, were in a terrible condition; that the child's mother was a tight-rope dancer, and that his father was dead. After the arrest, Alderman Nichols received the following letter:

'ROBINSON HOUSE, PITTSBURGH, January 18, 1871.

ALDERMAN NICHOLS—DEAR SIR: I notice the arrest of the 'Iron Jaw Man,' for cruelty to the little boy. It was my intention to have had him and the woman travelling with him, who is equally if not more guilty than he, arrested here, but they got away while I was absent from the city. Their treatment of the little boy here was most outrageous, and they deserve the full penalty of the law. If it is necessary, I will get depositions here, and forward the same to you, so they may get the punishment such brutal and inhuman treatment deserves.

Yours, respectfully,

O. D. LEVIS,

Robinson House, Pittsburgh.'

Judge Ludlow remanded the child to Mr. Mullen's custody, with instructions to inform the British Consul of the facts, and requested the District Attorney to follow the bail, and to pursue the man, and get him here if possible."

After the Agent had taken possession of the boy, he got District Attorney Sheppard to agree that the bail should be sued out immediately, and when the money would be recovered, it should at once be given to the boy for his benefit. Judge Ludlow has also

consented to this agreement. The Agent has, with the consent of the British Consul, placed the boy in charge of the St. George's Society, of this city. They have temporarily placed him in the Northern Home for Friendless Children; all of which has been done with the consent of Judge Ludlow. A true bill had been found against D'Atalie, and he was placed in the dock for trial, at which time, with the aid of first-class counsel, he succeeded in procuring bail, and by this means he was released from the criminal dock, and fled from this city to St. Louis. As he was a fugitive, and not here for trial, when wanted, his bail has been sued out. As the bail is good, and was examined and approved of in open court, by Judge Paxson, and as the prisoner placed eight hundred dollars (\$800) in the hands of the bail, before he became security for him, it is certain that the money will be recovered, and paid over to the St. George's Society, to be invested for the benefit of the boy. As the child's father is dead, and his mother is a tight-rope dancer, in England, the Agent did not think it best to send him back to his mother; it being probable that she would put him to the same business again, and subject him to more maltreatment. The Agent has handed him over to Mr. Micheson, the Solicitor for the St. George's Society, and he was placed in the Northern Home for Friendless Children, for the present, until he is otherwise disposed of.

Seven hundred dollars (\$700) has already been recovered from D'Atalie, which sum is in the hands of the St. George's Society, for the benefit of the boy.

NUMBER 3—Was the case of a young man who had been knocked down in the street, by two drunken men, who beat him severely and broke his arm; for which offence they were prosecuted. The injuries he sustained were of so serious a nature, that it was found necessary to have him taken to the hospital, for surgical treatment; but before he had recovered, he was arrested upon a warrant sued out by the parties who had assaulted him, and was taken from his sick bed at the hospital to the prison. This was done, notwithstanding the physician of the hospital said that "it was necessary he should remain in the institution, as he was not yet out of dan-

ger." As this arrest was a cross-action, commenced for the purpose of compelling the injured man to consent to settle their case; and as it was necessary that he should be immediately released, and taken back again to the hospital, for these reasons, the Agent saw that he was released upon bail, and supplied with competent counsel, who will see that the parties will be prosecuted and made to pay damages, if possible.

NUMBER 4—Was that of a woman who had been imprisoned with her babe, upon the charge of threatening. She got into the difficulty by crying "murder" at a time when her drunken husband was beating her severely, because she had given two dollars (\$2) without his consent, for a second-hand cradle, for the use of her sick child. Her cries for help brought the police, who immediately arrested her and her husband, and had them sent to prison. As the child was in a dying condition, the Agent interfered and saw that she was immediately released by the magistrate. The prisoner was a respectable, temperate woman, of good character, but had been badly misused by her drunken husband.

NUMBER 5—Was the case of a German, who came to this country to seek employment as a machinist, and being a good mechanic, he found no difficulty in getting a situation. He had scarcely got fairly to work before he was accused of stealing a watch. As he was a stranger in our city, without friends, his good daughter came from Baltimore, and informed the Agent of her father's previous good character and of his imprisonment. The Agent at once supplied him with counsel, and had him brought before the Court upon a writ of *habeas corpus* and honorably discharged, he being innocent of the offence he was accused of. As soon as this was accomplished, the Agent procured his daughter a free pass to Baltimore. They were truly grateful for the timely assistance given them, which saved them from unnecessary suffering that might have been occasioned by delay.

NUMBER 6—Was that of a man who was falsely imprisoned upon the charge of assault and battery. The Agent obtained his

discharge from the alderman, with the consent of the prosecutor. The prisoner said that "he belonged to Liverpool (Nova Scotia), and came here on board of a vessel as a sailor, and because he refused to go back to Liverpool with the captain, in the same capacity, he was badly beaten, and imprisoned upon the above charge." He had a wife and three children depending upon him for support; and his prompt release enabled him to ship again, and return to his family.

NUMBER 7—Was the case of a man who had been wrongfully imprisoned upon the charge of larceny, an offence of which he was innocent. He got into the difficulty by preferring a charge against his prosecutor for keeping a disorderly house. After this had been done the prosecutor improperly accused him of stealing a coat and pair of pantaloons, valued at seventeen dollars (\$17). This suit was instituted to prevent the prisoner from appearing against him on the charge of keeping a disorderly house. He succeeded in having the prisoner convicted. When the Agent ascertained that the prosecutor was the guilty party, and that he had fled from the city to escape conviction, which was likely to take place, he informed Judge Allison of the fact, when the Judge refrained from sentencing the prisoner, dismissed the case, and ordered him to be discharged.

NUMBER 8—Was that of a poor woman, the mother of six children, who was committed to prison upon the charge of abuse and threats. Her offence consisted in her going to a house to protest against the impropriety of a woman harboring her husband to the neglect of his family. She was very much excited at the time, and made use of harsh words, for which she was struck by the proprietor of the house and badly beaten, and for this the prisoner threatened to prosecute; but before she had an opportunity to do so the woman caused her to be arrested and imprisoned upon the above charge. The Agent interfered in her behalf, and obtained her discharge from the alderman, which was endorsed by Judge Finletter, who took the Agent for bail for her to keep the peace.

NUMBER 9—Was the case of an innocent man, who was improperly imprisoned by some one who forged the name of the alderman to the commitment that took him to prison. As he was entirely innocent, and as the alderman denied having committed him, the Agent saw that he was discharged.

NUMBER 11—Was the case of two boys, whom the Agent did not get released from prison. They pleaded guilty in Court to the stealing of some pigeons, and for this offence they were sentenced to the House of Refuge. While on their way in the van, they told a prisoner that they had concealed boxes of matches upon their persons for the purpose of setting fire to the Refuge, with a hope of obtaining their liberty. The prisoner who received this information informed the Agent of the intention of the boys. The Agent went at once to the Court, and informed Judge Ludlow of what the boys had said. The Judge then sent an officer of the Court to the Refuge, and had the boys searched, when it was ascertained that it was their intention to set fire to that institution; that they had two boxes of matches, a portion of which was concealed in their boots. When the Judge was informed of this, he caused a telegram to be sent to the officers of the Refuge to have the boys immediately sent to Court. They were then taken charge of by two policemen, who endeavored to keep a watchful eye over them while they were in their custody; but, notwithstanding their vigilance, these boys, while on their way to Court, stole a pair of shoes from a shoe store. They were then sentenced by Judge Ludlow to an imprisonment of nine months each in the County Prison. This prompt management of the Agent, in furnishing the information as given by the prisoner, was the means, no doubt, of preventing much mischief being done, which might have been attended with loss of life.

The prisoner who gave the above information to the Agent was an innocent man, and had been wrongfully imprisoned upon the charge of larceny. The Agent supplied him with counsel, and saw that he was honorably acquitted in Court. After this, the case was followed up, when it was proven that the prosecutor himself had stolen the goods that he accused this innocent man of taking.

The Agent had the pleasure and satisfaction of seeing this prosecutor pay over to the owner the full value of the goods which had been taken. The prisoner and the prosecutor were tailors, and had originally been partners, and had taken out a quantity of goods to make up for a clothing establishment. The prosecutor stole these coats and sold them, and then informed the owner that *his* partner, the *prisoner*, had stolen them. The Agent succeeded in proving that precisely the *reverse* was the case.

NUMBER 12—Was that of a colored boy, who was committed to prison upon the charge of larceny. He picked up a piece of rope in the street, and was arrested with another boy and accused of stealing the rope. The Agent supplied him with counsel, and had him brought up to Court on a writ of *habeas corpus*, and saw that he was honorably acquitted in Court. Judge Allison reprimanded the policeman for making this arrest without evidence of guilt.

NUMBER 13—Was the case of a woman who had been unjustly imprisoned, and had a little child depending upon her for support. She was sued and imprisoned by a drunken woman upon the charge of assault and battery. The Agent went to the premises, investigated the case, and found that the neighbors denounced the prosecutor as a worthless woman, unworthy of belief, and they were all in favor of the release of the prisoner. After the Agent had informed Judge Allison of all the facts in the case, the Agent was taken for bail, and the prisoner was released and permitted to return to her home and take charge of her little child, who was suffering for want of her mother's care.

NUMBER 14—Was that of a colored woman of unsound mind, who had been tried, convicted, and sentenced to an imprisonment of six months for the larceny of a diamond ring. The Agent procured a letter from Inspector Chandler, informing the Court as to the condition of the prisoner's mind. After which her sentence was reconsidered, and she was released from prison and taken charge of by the Agent, and placed under the care of a competent person who became responsible for her future good behavior, and

to see that she will be cared for out of a fund left by her deceased father for that purpose.

NUMBER 15—Was the case of a poor colored girl who had been shamefully persecuted, by being sued three times before different aldermen for the same offence, upon the charge of abuse and threats, an offence of which she was not guilty. The first time she was sued she entered bail for her appearance at Court, and did not go to prison. The second time she was sued she was unable to get bail, and was committed to prison. The Agent, being made acquainted with the facts in the case, immediately went to the magistrate and obtained her discharge. She was scarcely out of prison, when she was again sued before a different alderman and recommitted to prison. The Agent then went to this magistrate, and informed him as to how she had been previously persecuted, and obtained her discharge, and saw that she was promptly released from prison, and an opportunity afforded her to appear against her prosecutor, who she had previously sued for stabbing and cutting her with a knife. The object in suing and imprisoning her was to defeat the ends of justice by preventing her from testifying in Court to the injuries she had received at the hands of the prosecutor.

NUMBER 16—Was that of a poor and industrious man who had a wife and five children depending upon him for support. His occupation was that of gathering paper and rags in the street. He set his basket upon the sidewalk, and went a short distance from it in pursuit of old paper, and when he returned to his basket and took it away with him, a policeman, who saw him do this, accused him of stealing the basket, and caused him to be imprisoned. As the article was of little or no value, and as the Agent had ascertained, upon inquiry, that it was his own property, the Agent explained his case to the magistrate, and saw that the prisoner was promptly released from prison.

NUMBER 17—Was the case of an insane man who had been committed to prison upon the charge of the larceny of a suit of



clothes, which he had taken from his fellow-boarder. The Agent's attention was drawn to his case by a benevolent lady, who had known the prisoner for many years previous to his becoming insane. When she first became acquainted with him, she knew him as a gentleman and a literary character of great ability. At the commencement of the late war he offered his services to the Government and was accepted, and while engaged in battle was wounded in his head. Since that occurrence his mind has been seriously affected, and is now but a wreck of what it once was. After the Agent had seen him and learned this much of his history, he became interested in his case, and did what he could to save him from a conviction, by taking the witness-stand and informing the Court and the jury as to the condition of the prisoner's mind, and that the Agent was in the possession of a certificate from Dr. Jones, one of the physicians of the Pennsylvania Insane Hospital, stating that he was insane, and had been an inmate of that institution for a considerable length of time. When this information was given to the jury they acquitted the prisoner on the ground of insanity, which was done without any evidence being offered by the District Attorney against him. He was at once released from the dock, and placed in charge of the Agent to be cared for. By this management on the part of the Agent, he was saved from a conviction which would otherwise have taken place.

NUMBER 18—Was that of a man who had been wrongfully imprisoned upon the charge of abuse and threats, an offence of which he was not guilty. His wife, who was his prosecutor, had applied to the Court to get a divorce from him; and with the hope of preventing him from appearing in Court against her, in her application, she imprisoned him upon the above charge. He had scarcely been imprisoned, before her Counsel subpoenaed him to appear in Court in the divorce case; and in order that he might comply with the demand upon him, the Agent became bail for him, with the consent of Judge Finletter; but before the Agent could get to the prison with his discharge, the wife managed to have her husband brought up to Court, and placed on trial, with a hope of having him convicted. The Agent then supplied him with Counsel, who

explained his case to the jury in such a way that it resulted in his acquittal, and he was left free to defend himself, in the divorce case.

NUMBER 19—Was the case of a young man, a stranger in our city, who had been tried and convicted upon the charge of the larceny of a pair of pantaloons from in front of a store in Chestnut street. It appeared that he had come from Baltimore to this city to seek employment. He was unsuccessful and could not get anything to do, and his necessities were such that he was tempted to commit the offence for which he was imprisoned. The Agent interceded with the Court and the District Attorney in his behalf, and informed the Court that he had ascertained that the prisoner's wife was on the eve of her confinement, and his family were in great distress, and that his previous character was good; that the prosecutor had been seen by the Agent, and was desirous and willing that the prisoner should be released, and sent back to his family in Baltimore. When these facts were made known, the Court, with the consent of the District Attorney, took the Agent for bail for him, and allowed him to be released from prison without being sentenced. This was done with the understanding, that the Agent should furnish him with a railroad ticket, give him some money, and see that he was sent to his family in Baltimore. The request of the Court (in this particular) was complied with, and the prisoner was released. By this prompt management on the part of the Agent, he was saved from an imprisonment of about fifteen months. He seemed to be truly grateful for this interference in his behalf.

NUMBER 20—Was that of a man who had been committed to prison upon the charge of assault and battery, an offence of which he was not guilty. The Agent saw that he was supplied with Counsel who explained his case in such a way, that resulted in his acquittal by the jury rendering a verdict of not guilty and putting the costs upon his prosecutor. The man has since commenced suit for damages for false imprisonment.

## AGENCIES.

We have set forth in our reports of the proceedings of the Committees on the Penitentiary and that on the County Prison not only what those Committees do by themselves, but specially what they do by their Agent. And we wish now to refer to that subject with a view of offering a few words on Agencies as they are understood, and as their duties are discharged by the two Agents employed by the Society.

There is much required from an Agent, and consequently there must be an especial adaptation of talents to the particular duties assumed, and particularly must there be a strong love for the pursuit, a love that shall deprive labor of fatigue, and remove therefrom disappointment and discouragement. It is of no use to attempt to procure great benefits to the prisoner from the agency of one who is stimulated by promised reward or the expectation of a fixed salary. The reward must come, the salary must be paid and received; we must not "muzzle the mouth of the ox that treadeth out the corn," but we require the will, the judgment, and the desire to give efficacy to an Agent's labors. The services of an Agent that is paid are of little use, unless that Agent would perform the same services without pay if he and his family could live without that compensation.

Few persons who have not watched with care the persistent efforts of a Prison Agent can speak of such Agents as we have in Philadelphia, can judge of the

amount or the benefit of their labors. The Agent for the County Prison, without an *apparent* neglect of his duties, might omit half the labors which he bestows on certain cases, and allow a large portion of his poor clients to suffer protracted and unnecessary imprisonment, without an observable neglect of duties. What is done most effectively is done beyond the observations of the Committee, and scarcely any one can appreciate the laborious, thankless toil of passing from one alderman's office to another, going and waiting for the prosecutor, proposing modes of settlement, and enforcing those propositions with a kind of *argumentum ad hominem* that leads the prosecutor to fear that, as he has obtained a commitment with little money and less cause, so he may become defendant in a suit for damages.

There are few employments less desirable than that of interfering in petty lawsuits. One exposes himself to the coarse vituperation or mortifying suggestions of the vulgar prosecutor, and if even successful, is compelled to see that he is considered as under personal obligations. And as for the imprisoned persons that are thus relieved, they are so wrapped up in their sense of entire innocence that they are quite as likely to be surlily offensive to their deliverer for not doing his work sooner, as they are to be grateful for his having done it successfully.

The more difficult these duties are the more talent of special kind is required, and the less obvious are its labors the greater is the importance of having the laborer conscientious. That is the great qualification, *conscientiousness*. Great talents are far less important

than a great sense of duty; and a hundred minor deficiencies and some large ones will be more than supplied by *conscientiousness*.

The Agency is a branch of duties of the Society for Alleviating the Miseries of Public Prisons in which the principal labors of the members of the Society culminate. We may meet, resolve, and go about our labors, and place in every cell of the Penitentiary a faithful Committeeman; we may supply each prisoner with books, instruction, and preaching, but almost all these means of usefulness fail for want of the last effort, the finishing labor of leading the discharged prisoner where he may be at liberty to act out his good resolves, and affording him countenance and means to sustain him against the artful—against himself.

At the County Prison the Agent has an infinite amount of labors to prevent the innocent or the partially criminal from getting into prison as a convict, and then he has all that supplemented with the labor of assisting the discharged prisoner to find a home or employment.

It is these labors of the Agents that complete the work which is, indeed, the fruit of much of our labors; and so important do we regard them, that we do not see how a Prison Society can expect to complete any of its works without its Agents.

## COMMISSION OF PUBLIC CHARITIES.

The Commission of Public Charities is appointed by the authority of the Legislature of Pennsylvania to watch over the penal, reformatory and charitable institutions in the State that derive their authority and, in some cases, a part or the whole of their support from the Commonwealth.

This Commission is clothed with powers to elicit that amount of information relative to the establishment, object, means, and administration of the institutions submitted to its supervision, necessary to a proper legislation in their behalf, and, judging from their report to the Legislature in March of 1871, the members have entered upon their labors with a view so catholic that they will, in a proper time, have placed the condition of all of the penal, reformatory and charitable institutions full on the public eye. The members of the Board have evidently felt that to do their work well, to judge of the condition of the institutions, they must make themselves *intimately* acquainted with their abilities and their working, and thus they will secure the means of bringing annually before the Legislature the exact state of the institutions.

It appears by the report that some of the members of the Board have visited nearly every hospital, asylum, prison, almshouse, house of refuge, "retreat" and "home" in the Commonwealth, and the report, containing nearly three hundred octavo pages, presents the results of their close inquiries and the opinion of change for improve-

ment which each visit has enabled the visitor to form.

It is gratifying to notice that the General Agent of the Commission looks closely, and though we searched in vain for some comments upon certain officers of institutions, we were subsequently satisfied that nothing had been neglected, as we discovered in notices of other institutions high commendations upon certain officers for the discharge of particular duties of their places, and infer, therefore, that had those not commended, been as positively deserving as those who are commended, they would have shared in the praises bestowed.

The whole report is well written, and denotes an earnest zeal in the cause of what is submitted to the care of the Commission—a zeal without which no good can come from the existence of such a body. The work performed by the General Agent, Dr. Worthington, is immense; he travelled eleven thousand miles, and made one hundred and thirty visits, and he bears testimony to the kindness manifested to him wherever he went to procure information.

However abundant and important is the information elicited by the General Agent, it is evident that it is only the beginning, and that hereafter the questions propounded to the heads of penal, reformatory and charitable institutions will bring into light new facts and illustrate existing theories.

The report contains special reports with regard to the County Prisons, most of which have been anticipated by the volunteer visitors of this Society. But all are deeply interesting because they are instructive. They

contain exact statements, and these are illustrated by the opinions of one who knows of what he speaks.

In the account of the Prison at Ridgway, the seat of justice of Elk County, we have a remarkable statement. The prison building cost \$2,700!!!

The author of the report says: "The keeper lives in the Prison, but at the time of my visit he had been absent with his family for a week, and the Prison had been left in charge of a gentleman who resided at a short distance from the building. When I reached the jail I found no one there except a male convict. He informed me of the absence of the keeper and the residence of the person temporarily in charge."

Certainly that is a primitive way of guarding a prison, to have only one prisoner, and place him in charge of himself. The convict must be a gentlemen of chivalric honor, or one who thinks that good food and good lodging and no work are about as much as he could obtain by any other means.

The report says: "The rooms were filthy and the beds dirty. The single convict on duty and in confinement admitted that he could escape if he wished. The Prison has no satisfactory ventilation or comfort of any kind. There is no religious or moral instruction." Perhaps the convict who keeps the Prison might instruct himself.

In referring to the "Lebanon County Jail," the Report says: "The Sheriff informed me that intemperance was the cause of nearly all the crimes for which the inmates were committed."

Promiscuous congregation of both sexes of the con-



victs is permitted in the Lycoming County Prison and in some other prisons during the day. The whole Report does credit to the Commission.

---

## FOREIGN REPORTS.

### SOUTH OF ENGLAND.

Among the reports of prison movements which we receive from abroad, we take first for extracts and comment that for the "South of England, including Wales." The statement of each prison is made with great minuteness, and it would seem that a good view of the whole administration of each jail was presented. The only element for reference that is needed, and that must be needed in all prison reports, is a knowledge *how* such a work is done.

It is stated, for example : "The surgeon attends every day," &c., but how does he attend? Is he as careful with each prisoner as he is with patients that pay well abroad? These things should be carefully noted by those whose duty it is to inspect the prison and all the workings within its walls.

Two subjects seem to be specially noticed and particularly presented, viz. : "The food and the punishment."

The reports give tabular statements of the exact amount of each ingredient that goes to make up the soup or the gruel for each class; and the food varies with each class and each sex, and generally at each

meal. The following is a sort of "*recipe*" for concocting the food: The soup to contain, per pint, three ounces of uncooked meat, without bone; or one oxhead (or sixteen pounds of shin beef to every fifty pints), three ounces of potatoes, one ounce of barley, rice or oatmeal, and one ounce of onions or leeks, with pepper and salt. The meat liquor of the preceding days to be added.

The gruel to contain one and a half ounces of oatmeal per pint, and seasoned with salt; when less than fifty pints, to contain two ounces of oatmeal.

In seasons when potatoes are scarce, rice may be substituted for them in proportion of six ounces of rice, or four ounces of peas, made into a pudding, to a pound of potatoes; but the change shall not be made more than four times in each week; eight ounces of bread may be substituted for one pound of potatoes. Now these ingredients appear well on paper, but the true test of the diet is, how do they appear on the *table*?

It is a sad truth that, while the city or county furnish good meat, the Warden sometimes supplies poor cooks. The punishment for prison offences usually consists in withholding a portion of the prescribed diet.

As some, perhaps most, of the prisoners are sentenced to "hard labor," it is interesting to know in what that penal toil consists, and we find it thus set forth in the Report of the County Prison at Beaumaris (Wales):

#### HARD LABOR—FIRST CLASS.

"Tread wheel and crank labor. The wheel accommodates twelve men; work, six hours; ascent, one mile, three furlongs, one hundred and thirteen yards,

exclusive of time of rest. Men at crank labor are required to perform ten thousand revolutions per diem. The resistance is adapted to the strength of the prisoners." Who judges of that?

It is probable that the convicts who *assist* at the tread wheel would use some other word than *accommodate* if they were to be called to state the number of this class that were to be employed in that interesting exercise. "Words fitly spoken are apples of gold in pictures of silver."

#### HARD LABOR—SECOND CLASS.

Picking oakum, tailoring, shoemaking, needle-work, laundry.

They have religious services twice each Sunday, and also on Wednesday and Friday. The liturgy of the Episcopal Church is used. And the prisoners are visited in their cells, and teachers of writing, reading and arithmetic are employed.

Full liberty is given to prisoners of other denominations than the Established Church to call in their ministers. In most of the County Prisons we find it stated that Roman Catholic clergymen visit prisoners of their own denomination when called in, or in some places when they wish, and some places regularly every week. The Surgeon visits regularly.

In the list of punishments we find that of whipping as a penalty of offending against the prison rules. Such a use of power would scarcely be provided for by any Board of Inspectors in this State.

Nearly the whole of these reports is taken up with

a statement of the character and amount of food and the mode of distributing it. The good people of England seem not to be unmindful of what is by some regarded as a national proclivity, viz.: a proper regard to the stomach and its wants and capabilities.

Generally, it is stated, that the provisions are of good quality for the maintenance of health and strength, and quite ample for those employed at hard labor. We notice that females are allowed a little less than the prescribed meal of the males.

The bedding seems to be ample.

Almost all the reports speak of "a general state of health which is better than could be supposed."

Almost every prison reports some "flogging."

The formula for making gruel, soup and puddings is truly formidable; not much is said of the moral improvement of the convicts, but great attention is evidently given as to "what they shall eat and what they shall drink, and wherewithal they shall be clothed," certainly not a reprehensible disposition of time and funds.

The cost of maintaining prisoners varies with different prisons, less perhaps on account of the amount and character of the food, than from a difference of price of the same articles in different counties.

#### COST.

The cost of food for each convict is given at from two to three shillings a week. The cost of maintaining a convict in most of the counties is put down at about £30 sterling a year, after deducting the price of his labor.

The whole management of the prisons in England, or (as they persist in calling them and spelling the word) gaols, is being greatly systematized; and there seems to be a propriety in the plan which they have adopted for establishing the improvements, and reporting upon the mode of procedure. The experiments for 1870, were evidently on diet; and in the reports of the different prisons in the southern district, which reports contain two hundred and eighty-nine pages, about two hundred pages are devoted to the subject of food, its ingredients, its amount, and its distribution varying in amount and kind according to length of imprisonment, the age, and the sex of the prisoner.

The reports which we have examined of the state of prisons in England, denote a much more careful attention to the police and the hygiene of the prisons than formerly, and the exactness with which every movement is accounted for, denotes a growing care in all concerned, beginning of course with the Government that requires this great minuteness of statement, and continuing through the administration of the prison with wonderful care, and then reported in a form that must make the proper officer of the government fully acquainted with all the movements of the various prisons in the kingdom.

We have elsewhere noticed the great minuteness with which the dietary is arranged and administered, and the care which seems to be taken to have religious instruction afforded to the different prisoners according to their creeds.

The reports show that medical men are furnished to

each prison, and we are bound to believe that medical science is not wanted.

We observe in the returns from the prison, at Dolgetty, in the County of Monmouthshire, a statement by the physician which shows that the nomenclature of medical science has lost none of its classical character. The learned practitioner says: "The prisoners as a class are in a very cachectic and low state of health; many of them suffering from parasitic and enthetic diseases." The doctor must have been a descendent of the honest Cambrian, who was the friend and professional companion of Roderick Random. But it is not to be doubted that the diseases, here noticed, are found in many prisons, the parasitic especially, and have been made to yield to medical science and practice. The cachectic would probably yield to the influence of a little enrichment of the gruel and the soup, that is described in the report with great accuracy, but which may have in the Welsh prison been rather enfeebled by an enlarged use of water.

For the parasitic disease, the medical authorities of the Philadelphia County Prison have always with much success in cases of *pediculus capitis*, prescribed the use of the admirable remedy, "*Pecten dentibus tenuissimus*," and no doubt this would be as effective in Dolgetty prison as it has proved to be in Moyamensing prison.

## PRISONS OF SCOTLAND.

The *tenth* annual report as to the prisons of Scotland contains the usual interesting variety of prison matters, denoting much solicitude on the part of the government to improve prison accommodations and prison discipline, and evincing care and devotion in the administration of the prison.

There is in Scotland what is called a General Prison, answering to the Penitentiaries in Pennsylvania. It is situated in Perth, and is divided into two departments. One for the usual penal purposes of a state prison, the other for the criminal lunatics of Scotland.

In the first department are placed such prisoners as are sentenced to nine months imprisonment and upward, in the county or local court. These are conveyed at once to Perth, unless special exception is made in the sentence. And prisoners under a stricter sentence may be removed by the Secretary of State to the General Prison. Convicts also sentenced to transportation are brought to Perth, to await their deportation. The multiplication of sentences of nine months and upward, has crowded the General Prison, and many are compelled to serve out their sentence in the county jail, because there is not room enough for them at Perth.

The Lunatic Department of the Perth General Prison is constituted for the reception of prisoners who were insane before, or on trial, or who became insane during punishment, and such prisoners may be detained after the expiration of their sentence. The feeling in favor

of insane convicts is growing in Europe, and is working out plans for the alleviation of the sufferings of that class.

#### AYR.

The Prison at Ayr is used as a state prison for females, of whom there are on an average ninety in prison. Good provision seems to be made in both of these prisons for the class of prisoners called "insane criminals," and a watchful care and personal accountability are had on their account. It is said that the cost of supporting an insane prisoner is about £25 a year in Scotland, and £67, 4s. 9d. in England.

#### INCREASE OF PRISONERS.

The average daily number of prisoners on the criminal side, in all the prisons in Scotland, in 1840, was 1,940, of whom about one-half were females. In 1870 the whole number of criminals was 2,737, of whom nearly four-fifths were females. The increase of the number of the whole is very great in ten years, and in a country in which the whole number of the population has not increased. But the increased proportion of females is truly frightful.

On the *civil side* affairs wear a very different appearance. In 1840 the whole number of prisoners on the civil side, in all the prisons of Scotland, was 108, of whom 10 were females. In 1870 the whole number was 86, of whom 4 were females.

The staff of officers with scale of salaries in the Gene-



ral Prison, at Perth, show liberality as well in number as in compensation.

The Governor (superintendent) receives, as a minimum of salary, £450, to be increased each year in which he holds the office £10, till it reaches £550, with residence and gas.

The Chaplain (Presbyterian) receives £200, to be increased £10 per year till it reaches £300, with residence and gas.

A Roman Catholic priest visiting only, receives £70 a year. Episcopal clergyman, £50.

In addition to these spiritual aids, there are two Scripture readers, receiving, one £100, and the other £75 per annum.

There is also a teacher of music, who receives, in addition to his compensation as Warden, the sum of £8 per annum; and a precentor, a giver-out of the hymns.

There are 103 persons employed in the Perth Penitentiary, where the average number of convicts of all kinds is above 700. The expenditures of the Prison amounted in 1870 to £17,889 2s. 10d.

The returns for the county and local prisons are quite elaborate. The repeaters, or, as they are termed in France, *recedives*, are numerous. And a table shows how many of each sex have been committed from one to one hundred and twenty-four (124) times. And it is worthy of note, that as the repetitions increase, the proportion of females increases; for example, for the first commitment there are 134 males and 65 females; for the second time, 57 males and 20 females; third time, 52 males and 30 females, and here the superiority

in number of males ends. The fourth time gives 43 males to 53 females, and then it continues with a constantly diminishing number of both sexes, but an increasing proportion of females, till we come to the sixteenth commitment, when the number is 0 males and 3 females. From that to the one hundred and twenty-fifth commitment, no males are recorded, and only one or two females for every division. In the whole table, from 1 to 125, there is not a single number that does not contain one or more females.

It is probable, though it is not so stated, that the greatest portion of the *recedives* (repeaters), especially those who exceed twenty times (all women), were drunkards, and if so, it is no less probable that had they been committed every time they deserved such treatment, they would have attained to the "blushing honors" of quite five hundred commitments!

The reports of the Surgeon or Physician of the General Prison are remarkably minute, and must be exceedingly interesting to those who take an interest in prison discipline, and are able to judge of medical statements.

Scrofulous affections became so prevalent in the Perth and in the Ayr prisons, that it was found necessary for general satisfaction, to call in higher professional counsel. The disease seems to have been introduced by convicts from the local prisons, men and women who had lost much of their proper vigor by previous confinement, and had, by continued dissipation, prevented liberty from being beneficial to their physical system.

Professor Christoson, Visiting Physician of Perth Penitentiary, supplies a long paper on the prevalence

and cause of scurvy and scrofulous disease, which, from time to time present themselves in that Penitentiary. He thinks that these diseases rarely originate in that institution, but are brought thither by convicts from the county prisons. The causes, he says, are low diet and want of proper exercise. He says the diet in the prisons is too low, and that saccharo-farinaceous dietary is chargeable with most of the cases of scurvy that have been noticed in the prison. It is mentioned that the women suffer more than the men from scrofula. Noticing the case of a man who suffered very much from scrofula, in Perth Penitentiary, Dr. Christoson gives the statement of the convict's food. His diet was porridge and milk for breakfast and supper, and bread and broth, pea soup and barley milk. He never could appease his hunger with these. The case of this convict is very similar to that of almost all who suffered at the time. Deficiency in quantity and quality of food. And in some prisons the sufferer was allowed an additional quantity of food—but its quality prevented him from satisfying his requirements. The almost total absence of meat in the Scotch prison seems to be the cause of scrofula. Whenever the patient is allowed a little meat twice a week, he almost invariably rallies.

In the Pennsylvania prisons, where beef, and pork, and mutton are freely used, and good potatoes are supplied *ad libitum*, very little scrofula is found. It is more likely to manifest itself among colored convicts, after a long term of imprisonment, and a few cases have been known among that class.

But oat-meal gruel, made as it is likely to be made in

a Scotch prison, cannot be very nourishing. Doctor Johnson expressed some opinion of oats as food for man.

A growing interest in the condition of insane convicts is manifested by these reports.

Among the expenditures of the General Prison (Perth), we notice one item "Uniform for officers, £240 8s. 10d."

## ITALY.

We have received copies of the "Revista di Discipline Carceraria" (Review of Prison Discipline), a monthly periodical published in Florence, and edited by "Martino Beltrani Scalia," who enters upon his work with a zeal that promises great usefulness, because "it is according to knowledge." The "Revista" contains accounts of action with regard to prisons from almost all countries. It has a well-prepared abstract of the late International Prison Convention in Cincinnati, with a rather amusing spelling of proper names. And it is instructively furnished with all that relates to the penal and charitable institutions of Italy from Venice to the southern parts of Sicily.

We are glad to see that the subject of "insane criminals" occupies the attention of the humane in Italy, where, indeed, the work of true charity has had a much greater extent than has previously been supposed by those who are not acquainted with the language and the customs of the different parts of the Peninsula.

We have seen no periodical on prison affairs that in any way exceeds in ability and interest Signor Scalia's *Revista*. It contains an account of what is done in prison,

and how it is done; what is said in the Legislature and in Courts about prisons, and what are the results; what is written in periodicals and essays on the subject of prisons, and what would be the effect of its application. Something of the spirit of practical humanity now working in Italy may be inferred from the facts stated in the "Revista." The Cavaleiro Avocate, Tancredo Canonico, Professor of Criminal Law in the Royal University of Turin, recently took his students on a short excursion in Pallaza (the State Prison) in order to present to them a fair sample of the existing penal system in Italy, and to give them an opportunity to study the difficult and important problem of "prison reform."

When a royal professor of law takes such a step, to show how important is deemed the question of prison discipline, and how heartily he enters into the good work of improvement, we feel that the idea is fixed. We are struck with one sentiment that seems to pervade all the essays and lectures on prison discipline in Italy, viz. :

"THE GREAT END OF PRISON DISCIPLINE OUGHT TO BE THE REFORM OF THE DELINQUENT AND NOT VENGEANCE."

Our limits do not admit of large translation from the "Revista," and we regret this the more as Italy is a new field of labor for Americans generally, though the subject of prison discipline seems to have been pretty well understood there for a long time.

We notice that there is appointed an examination of all candidates for places connected with the administration of public prisons with regard to character, physical abilities and *literary* attainments. This qualification of

"literary attainments" may seem rather unnecessary in a prison officer, but the law of Italy contemplates the mental and moral improvement of the convict; and as the officer of the prison is most with the prisoners, there seems a great propriety in having his mind softened by knowledge, and in having him capable of imparting some learning. The contact of prisoners with such an officer must be beneficial to them.

Vittorio Ugo Fidele, a writer of some observation, discusses in the *Revista* the subject of the "Social Evil" with much earnestness and after much inquiry, but with much more patience than other modern writers seem disposed to exercise toward the offence and more legal charity toward the offender.

Fidele seems to have read the English work entitled "Fable of the Bees," by Manderville, who speaks of a "necessary evil," and numerous writers are quoted, from St. Augustine to Filangéri.

We have not space to give much of the article, but there is one paragraph so much to our taste that we translate it for the benefit of our readers:

"We do not believe that the life of woman is more than that of man strewn with thorns and thistles, but even were it so, the attempt to draw her from vice does not make her fate worse. We believe woman to be the delight of the domestic hearth, the angel of peace that comforts and guides by love and by example in the noble sense of sacrifice and of virtue—beyond that circle she must lose the aureola with which she is surrounded. Robbed of that noble home distinction, she must fail."

After the above was prepared, there came to hand a large quarto volume, containing the reports of all the prisons in Italy, with tabular statements of all the divisions of crime, punishment and circumstances of prisoners. We have never seen a public report more admirably arranged, remarkable for perspicuity and condensation, and from no nation have we ever received a report so beautifully printed.

---

## HOME REPORTS.

We have not received the reports of the penitentiaries and prisons and charitable institutions of any State, excepting Massachusetts, though we know that pains are taken in many States to procure information, and results have been ascertained to prove the earnestness of authorities to amend the discipline and augment the usefulness of their several institutions.

It may be remarked that not much improvement can be expected until there is a full understanding of the exact state of all the institutions, which may be reached by ordinary legislation. The physician scarcely prescribes till he understands the disease of his patient.

## MASSACHUSETTS.

We have a very handsomely printed volume of nearly five hundred pages, "The Seventh Annual Report of the Board of Charities of Massachusetts for 1871." It

would seem that when full price is paid that any State ought to produce a handsomely printed and well bound volume of its public documents, but certainly none that we see from any other American State equal those that report the condition of the penal and charitable institutions of Massachusetts. And it is an additional claim to commendation that this volume contains well-digested essays towards improving every branch of the service over which the Commission watches, and the proceedings of which that Commission reports.

The early reports of the Massachusetts Commission did not equal the first report of the Pennsylvania Commission, but the Massachusetts body has developed year by year its plans, and had thus time to attend to other matters than an exact record of what *is*.

In presenting the situation of the State as it regards the violation of the laws, the report states that more than half of the commitments throughout the Commonwealth are for drunkenness, and it is evident that a much larger number than in other States are saved from imprisonment by paying the "drunken fine." The proportion of drunkards is greater among women than among men. The fine varies from \$5 50 to \$7 00. BUT ALL THIS IS IN A STATE WHERE THE PROHIBITORY LAW PREVAILS.

But while drunkenness is rather prevalent in some counties, yet it is gratifying to notice that, though comparatively with commitments for other offences, commitments for drunkenness are notable, yet positively they are small, as in one county we notice that the prison has but *one* prisoner, and he on account of drunkenness.



In Massachusetts almost all that is accomplished is under the care and the provision of the Commonwealth. Every charity, every house, every institution, every place of confinement that receives aid from the State is amenable to the provisions of the law appointing the Commission, and all officers arising out of the proceedings of the Board are considered as State officers, whose conduct must be accounted for in the annual report of the Commission.

This centralization gives power for good to the Commission, and enables the public to see at once what is paid for the penal and charitable works of the State, and how the money is applied, and, in some considerable degree, what are the results therefrom.

Massachusetts is approaching the elucidation of the problem of well-directed charities—how public aid can be made publicly beneficial and penal infliction *may produce* reformation. In the last, perhaps, far less has been done than in the first. There still lingers round the plans of penal institutions the error of money-making. How little cost, and then how much profit. Her charitable institutions thus greatly excel her penal places in usefulness, and that is not all. Her penal institutions, unless modified, can never become charitable.

It seems as if Massachusetts was trending steadily from the congregate to the separate system of confinement without any announcement of intention, but with the execution of important plans which must lead to a good result if prosecuted.

For example, it is said a prison for Berkshire County

is nearly completed, with one hundred cells, of which twenty-four are for women, and with capability of ground to add twenty-four more cells for the men's wing. The cells are six by eight by eight feet four inches. And four of the cells are for "*solitary* confinement." But we are not to suppose that more than one prisoner is to be kept in a cell only six feet wide by eight feet long and eight feet four inches high.

We infer that in these little cells is to be tried the experiment of "SEPARATE CONFINEMENT," at least for the night, though much of the advantage of separate confinement is lost by the congregation of prisoners in the "work rooms." But that will be found out and the evil be corrected when Massachusetts takes another lesson in prison discipline, viz, to learn and admit the fact that the reformation of the prisoner is worth more than his labor, and that society will profit more by receiving back a reformed criminal than by the profits on a thousand pairs of boots and shoes. The returns for charitable institutions show that the religious creeds of the founders and conductors of asylums, homes, &c., do not interfere with State solicitude and State aid. The House of the "Guardian Angel," sustained by the contributions of parents and friends, for the support of disorderly boys, receives \$3,500 contributed by the State. The chief income is from those who place the boys in the House.

*The House of the Good Shepherd* is for the reformation and employment of fallen women, and is most successfully conducted by a religious order of ladies devoted to that purpose. This has not yet received any

aid from the State, but there is a sum conditionally appropriated.

*The Washington Home* is an institution for the reformation of inebriates. It would seem that this institution has proved itself very useful.

The report takes up the question of pardons, and complains of the looseness of "recommendations." It is probable that when a pardon is improperly granted the applicants are more to blame than the pardoning power. For drunkards, prostitutes and vagrants a longer period of confinement is recommended. Certainly there must be a new definition of vagrancy before longer imprisonment can be required.

We regret that we have not space to enter more fully into this report; it is able, and shows by its advancement that very much yet remains to be done. The report advances, and justly, the opinion that the great work of reformation must be done with the young.



## RESULTS OF OBSERVATION.

For some time past, but more especially at, and a few years after, the close of the late civil war, the Eastern Penitentiary was so crowded that it was necessary to place more than one prisoner in a large number of cells, and this apparently contrary to the law of the State, and the sentence of the Court. The law allows only one prisoner for a cell in the Penitentiary, and the Court awards that number, and the authorities of the Prison

seem to have no alternative, they must take the convict that the Court in any county of the Eastern District of the State sentences for the discipline of that Penitentiary, and they do take him and do the best they can by him.

Now a law of Scotland prescribes the accommodation for a convict in the General Prison, or Penitentiary, at Perth. The rooms, the cells, the culinary arrangements, and the *personnel* of the administration, are all for a given number of prisoners, and when the court of any county or district sentences a prisoner for a term that renders him liable to the discipline of the Perth prison, the authorities of that penitentiary look at the number of cells which they have, and if there is in each a prisoner, the new applicant is dismissed to his county jail, to await an empty cell. The result has been that all have to wait so long, that few with a sentence not exceeding a year ever reach the Perth Penitentiary, but work out their sentence in the prison of the county in which they are tried.

While almost all the reports from abroad are lauding what is denominated the Irish system, as something which has not yet been fairly tried out of Ireland, all show, without direct assertion, that hopes of reforming prisoners must be founded on separate confinement.

We think highly of a part of the Irish system, especially the first part, which rests altogether on the total separation of the convicts. And while we do not approve of all the other parts of the system, we are constrained to admit that it works well in Ireland, and may work as well in England and Scotland.

Why then, we are asked, should we not approve of the whole Irish system, since where it is well established it works well?

The answer is simple.

That part of the Irish system which is Irish—which is not Pennsylvanian—is the two closing stages, viz.: the “ticket-of-leave” system, by which the convict is enabled to earn as much money, under surveillance of the prison authorities, or the police, as will take him out of the country, that is, take him to the United States. The behavior of convicts who have arrived at this stage of the system is usually excellent, and they are not long in earning the price of a ticket of passage to the United States, provided they can show their “ticket-of-leave.” It is said that these men never honestly earned so fast as they acquire the price of that passage ticket. All seem more anxious to contribute means to get a convicted felon out of the country, than to get an honest man steady labor.

So that the success of the Irish system, so far as it goes beyond the Pennsylvania system, depends upon the deportation of the pardoned or “ticket-of-leave” felon. And as there appears to be no country to which those *reformed* “ticket-of-leave men and women” will go, excepting the United States, so it seems that a foreign country is necessary to the completion of the Irish system of prison discipline—and just in proportion as the Irish system is successful abroad, is our country the “*refugium peccatorum*,” the Canaan of European culprits. And when the inspectors and governors of the Irish prisons laud their system as freeing their jails

from convicts, we confirm their boasts, by counting men and women who have been transferred from European prisons to our cells, by the talismanic charms of a "ticket-of-leave," and we supplement the account by some rough estimate of those who undetected yet, are desolating our cities with unheard-of robberies; who, having left their own country for their country's good, have arrived and organized themselves among us, for their own special good.

When some other nation arises with the claims to the attention of felons which ours has, then we may profit, if we could commit such an international wrong, by the circumstances, and, with a "ticket-of-leave," commission our repentant felons to depredate on the newly-discovered quarry.

While on the subject of discipline, we may as well translate a few remarks from reports received from the Continent of Europe. The following is from a report on the prisons of the South of Germany :

"Would you know the relative merits of a prison? Ascertain the character of him who directs it. No-where is the influence of a man greater. It is in the 'director' that lies the moral life of the establishment; in him is centered the discipline. One may say there can be no bad prison with a good director."

That last idea is about what we have so often urged upon our readers, viz., that it is the "administration," not the system, which gives character and usefulness to a prison. Of course the good system well administered is far superior to the poor system well administered—

but the poor system well administered is better than the good system badly administered.

We can well understand how a prison may be well and beneficially conducted by a principal who does not trouble himself much with the improvement of his prisoners, provided there are supplied by any means special persons to look to the moral uses of imprisonment, and to apply measures in general accordance with the plans of the general director. But no moral efforts will amount to much, will be permanently useful, unless they are persistent and consistent. The general views of the administrator of the prison must be in accordance with the moral director, and their plans must not clash. Both should understand prison discipline, and both should desire moral improvement, but each should confine himself to his specialty, and each should be careful not to underrate the services or position of the other in the hearing of the prisoners.

#### CARRYING SECRET DANGEROUS WEAPONS.

One of the worst of crimes, because the parent of so many other crimes in this country, is that of habitually carrying concealed on some part of the person an instantly available deadly weapon. It is often charged upon Italy that it is a land of assassination, but it is probable that there are more crimes of that kind committed in New York City alone, in one month than in all Italy in a year. Yet we notice that a bill has been before the Italian Parliament prescribing the punishment for carrying concealed deadly weapons, designating the kind and number and grading the punishment.

For carrying concealed arms the penalty is imprisonment for three months to one year.

For carrying sharp-pointed knives of considerable length, imprisonment for six months.

The punishment for carrying open or concealed weapons into places of amusement or solemnity is thus prescribed, the punishment, one month to one year for concealed, and three months for open.

But where the person arrested has once before been punished for having concealed arms, he may be punished with very great severity upon the count of bearing them again, from two to five years being the penalty. It is difficult to say where penal houses would be found for those in this country who *could* be convicted of bearing concealed deadly weapons. If it be necessary to keep the armed and unarmed separate, then the unarmed might have to be sent to the prisons, and the bearers of concealed weapons, being by much the largest number, would be kept abroad that there might be room enough for them.

Something of the spirit of disregard for laws in this country may be inferred from the fact that the laws against carrying concealed dangerous weapons are very stringent, quite as severe as those against assault and battery or felonious personal assault, yet it is certain that a large portion of the men who reside in, or who come to, the city carry about them concealed weapons, daggers, pistols, bowie-knives, blackjacks, or other instruments equally effective.

There is a sort of "grammatical" test of this great evil of carrying deadly weapons and of its increase and



extent. Formerly, when the newspapers recorded any act of violence, homicide especially, it was customary to say that the offender drew from his pocket *a* pistol and fired at his antagonist or the one that suffered by his violence. Now the reporter says, that at this stage of the quarrel the prisoner drew *his* pistol and discharged it, &c. The difference is most expressive. In the former sentence, "*A* pistol" would seem to intimate an unusual arming; while in the latter, "*His* pistol" intimates an ordinary companion. Just as we say of a young man, he is suffering from *an* attack of the gout; while of an older *bon vivant* it would be said that he suffers from an attack of *his* old complaint, the gout.

---

## REMARKS UPON REPORTS.

We have received some of our foreign reports of the movements and condition of public prisons, and we make, in another part of the Journal, such notices of their contents as will give some idea of what is done in Europe to alleviate the miseries of prisons, and we wish we could say what is done to ameliorate the condition of prisoners, but unfortunately, in many parts of Europe the cost of government is so high that it seems to be a necessity to make the product of the prisons subservient to the support of the palace. As soon as the spirit of true philanthropy begins to make itself heard in the discipline of prisons the spirit of cupidity makes itself

felt. Improvement of the convict is no sooner announced than the inquiry is instituted as to the means of making *him* improve the public treasury.

Why should scoundrels, thieves and homicides be living at the public expense in well-constructed prisons, as if rewarded for their robberies, thefts and homicides?

And that is an idea not without some weight. But for the present we shall only propound another question: Why should the perpetuation of scoundrelism, robbery, theft and homicide be secured by making our prisons social schools, on the Lancasterian system, in which each convict becomes a monitor to conduct the class of criminals in studies of crimes in which he is a little more proficient than his pupils.

A hundred thousand dollars a year, it is said, are spent in the maintenance of a few hundred public and private villians convicted of crime, when, by congregate labor and confinement, they might be made to earn nearly or quite the cost of their maintenance, and perhaps contribute to the reduction rather than the augmentation of taxation.

Some one who really comprehends the great question of social science involved in prison discipline might respond to that query by propounding another question: Why minister to the amount lost to members of society by nurturing felons for the work of felony—why make the county or State prisons schools of mischief, and provide prisoner “Fagins” to qualify junior offenders in the art of violence and fraud?

But it is said by some that the losses which are made by the expertness of rogues, sharpers, thieves, burglars,

counterfeiters, &c., are individual affairs, and are, therefore, matters for individual complaint and individual redress.

Such an idea is specious. Society is formed for the protection and security of individuals, and therefore each man who is exposed to wrongs by others is entitled to the protection of the whole. And all men are much more concerned in the prevention of crimes and the reformation of criminals than they are in the arrest and punishment of the offender. The law is not intended to be a minister of private vengeance. It is therefore true, if a person is outraged, he is forbidden to administer chastisement to the culprit, forbidden to gratify his private feelings so greatly outraged, and told that he must, in a country of laws, remit his private vengeance to the strong arm of the law. But when the would-be assassin or the violator of innocence is arraigned for public justice no man supposes that the Court of Quarter Sessions or Oyer and Terminer is sitting to deal out sentences for the gratification of private revenge, however insolently or infamously that revenge may have been provoked. To imagine such a case would be to suppose the judges of our criminal court the henchmen of some vindictive citizen, and the bench of public justice would be degraded to the gratification of private hostility.

As soon as a man is arrested for an outrage on the rights or person of a citizen the offender belongs to the State, he is not amenable to individual feelings or private wishes. The sufferer may appear as a witness against the offender, but he is a witness for the Com-

monwealth and not for himself; he has no power to add to, or take from, the penalty which the law provides. When the sufferer became a member of the social compact his right to redress his own wrongs was merged in the powers and duties of the State, and if the State may be allowed to judge of the amount of penalties which it will inflict for certain violations of individual rights, it has the power to judge whether it is better to gratify individual desire for revenge or to save to *itself* (to the community) one who has erred and may be amended. The improved citizen is better than the incarcerated felon; the imprisonment of the robber abstracts for a time a bad individual from society—the improvement of the convict restores to the community an element of good, an element that may be productive of infinite good.

“I have saved a dollar, this week,” said a son to his careful father.

“You have done well,” replied the parent, “a dollar with interest for ever.”

The violator of law, the being impelled by passion, by bad associates, to do wrong habitually, does much harm by his example, his precepts, his association—and thus he enlarges the field and harvest of his bad labor.

The man who is made sensible of the evil to himself and to others of his bad conduct, and goes forth from prison improved, is a continual missionary of good, his very improvement is an evidence of the possibility of making a prison a school of good morals. And his continuance in virtue is the perpetuation and the increase

of the benefits of his improvement—"the interest forever," compound interest upon his moral capital.

---

## HINDRANCES.

We have elsewhere stated that this Society, while it wishes well to all associated or individual effort towards the alleviation of the miseries of public prisons, in the belief that such efforts are promotive of the great objects of the Society itself—yet it has not felt it a duty to move directly in such efforts. A division of labor seems sometimes the best means of perfecting the whole work. But such an unwillingness by no means denotes indifference to the results. Especially did we mention the exertions of the friends of temperance as those entitled to the good wishes of all, but which are not to be confounded with the direct exertions of the Prison Society, though tending greatly to the very end of that Society.

One objection might be cited to our participation in the enlarged temperance movements, and that is that the members of the temperance societies are not, by any rule of their own, nor by any custom, prohibited from mingling in party strife, and leaving the fate of their associations to the arbitrament of the ballot-box, a resort which could never be permitted to the Society for Alleviating the Miseries of Public Prisons—a resort which would effectually "estop" all hopes of success in the effort, and condemn to party resentment on one side

and party contempt on the other, a Society that in the purity of its principles and the philanthropy of its labor has outlived whole scores of party organizations, on both sides, and will probably look with indifference upon the death of whole scores of existing and coming political combinations.

This Society in taking its enlarged views of whatever relates to prisons, cannot, of course, overlook that which creates the necessity for a prison, and affords arguments for its continuation and enlargement. But as there is no irregularity of appetite, no abuse of what is permitted, no indulgence of what is only a crime by excess, which so multiplies domestic misery, and augments social disquietude, as drunkenness, so there is scarcely a vice that is more heartily denounced by the members of this Society.

The excessive use of intoxicating liquor is the crying evil of the time, not merely in this city and State, which crowds the prisons, and the houses of correction and detention, but in every state of the Union, and in almost every nation of the world, and as such needs the denunciation of every good man—every friend of individual respectability, domestic comfort and social order.

Of about seven hundred persons confined in the Prison (Moyamensing) of this city, it is believed that at least six hundred are given to an inordinate use of strong drink, and that more than half owe their imprisonment to habits of intoxication.

And while such is the condition of those who are in prison, what is the case of those who are out? How many families suffer the deepest mortification from some

individual drunken misery of their own that meets no public rebuke; and how few of those who go to bed or are helped to bed in a state of intoxication, or who return from their haunts reeling to and fro, find their way *at first* to the station house or prison.

They are preparing the material, keeping alive the stock upon which the prison lives, from which the keepers derive their right to salaries.

"What would you do," said a drunken woman to a prison-keeper, who rebuked her as he let her into the drunkard's cell, "What would you and the rest of you do, without such persons as we? Your prison would be as empty as my pocket."

"But," say some, "those good eaters and hard drinkers do not get down to the prison." That is true in part, they do not get down to prison always for being drunk, but they get into prison for doing at last what they never would have done, if they had not drank away their sense of decency, and forfeited their claims to respectability.

The hard drinking person may confidently look forward to his advancement in vice, and his adoption of crime till he shall certainly arrive at the convict's cell. And the convict in the cell looks far back upon the earliest glass, the multiplied indulgences, the loss of employment, the bad associations, the yielding to temptation, the commission of crime, and the entrance to the convict's cell. He knows how intimately connected was every link in the chain that bound him, how every succeeding vice sprung out of its predecessor, and how the prison seems not more a legal punish-

ment than a natural consequence. Oh, could the young man look forward, as the old one looks back; could he see in advance what the other beholds in retrospect, surely the evil would cease, and the miseries of prisons would need little alleviation.

---

## NECROLOGY.

A Society so old as is ours, can scarcely hope to complete its year's record without the mention of some deaths among its members. This Society has no exemption from the common rule, though while we write near the close of the year, we have to mention the death of only one of our active members. Yet the age and infirmities of some others, would render it quite as likely that their fellow-laborers may read the obituaries of these, as that those thus spared should have to mourn the loss of one of the number in the whole year.

The Society profited long by the services of Mr. LEWIS R. CONARD, who chose the Penitentiary as the scene of his charitable labors, and made himself eminently useful in his constant efforts to lead the convict away from bad habits of thought that strengthen bad habits of action.

The visits of Mr. Conard were marked by the officers of the Penitentiary as effective from their constancy, and from the affectionate earnestness with which he dealt with the unhappy inmates. In that consisted



Mr. Conard's chief contributions to our Society. He was not regularly seen in the meetings. Seldom did he participate in the discussions to which proposed measures were submitted. He was content with the great principles of the Society, and he was satisfied with ministering directly and persistently to the great end of our labors. He felt, in the full discharge of his duties when in the cell of the prisoner, and he possessed in a remarkable degree the faculty of winning confidence, so that he could deal plainly with his client. He has passed away. It is not our aim to present the circumstances of his death. His closing sickness and his last hours were what such a life would lead the reflecting to expect.

It is beautiful to contemplate the character of a man who has tried to give full exercise to the great feelings of philanthropy, without expecting or inviting from the world recognition and applause.

The good visitor of this Society, must, like the poor convict whom he visits, submit to "separate confinement," or rather be content to share his retreat with the offender against the laws. The walls of the prison must exclude from general observation all his movements, and his desires to be useful must be gratified by the unobserved attempt, and he should feel that the merit of his acts, and perhaps their future usefulness, must depend upon their concealment.

The Society remembered the services of this one of its faithful representatives at the Penitentiary, and did itself honor in offering honors to his memory. The subjoined is the action of the Society, after hearing from

Dr. Edward Townsend a short but most impressive eulogy on the character and services of Mr. Conard :

At a stated meeting of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," held eleventh month 26th, 1871, the following resolutions, offered by Edward Townsend, were adopted :

*Resolved*, That this Society has heard with deep regret of the death of our friend and coadjutor, Lewis R. Conard, who has been for several years a faithful laborer in Prison reform, and whose company was always hailed with pleasure and satisfaction by those under penal confinement.

*Resolved*, That this Society sympathizes with the family of our friend, Lewis R. Conard, in their deep affliction, and direct that a copy of these resolutions be sent them.

JOHN J. LYTLE,  
*Secretary.*

---

## DESULTORY THOUGHTS ON THE SUBJECT OF PRISON DISCIPLINE.

We have often expressed our high gratification at the new hold which the subject of prison discipline, in its broadest sense, has taken upon the public mind ; or, perhaps it would be better to say, upon the minds of those who influence public opinion ; and we may as well add that our complacency has been a little enlarged in the consciousness that the "Society for Alleviating the Miseries of Public Prisons" was early in the field, with suggestions as to the advantages to be derived from a proper investigation of the subject, and a full understanding of the capabilities of improvement on existing

systems. And this Journal takes to itself a portion of the credit due to services that awakened in Pennsylvania the inquiries and led to the good results.

It is the fulness of time, however. All circumstances seem to concur in awakening public feeling, and the best efforts of the humane have been used to enlighten public sentiment, in the direction of improving prisons, and modifying and humanizing prison discipline. Like all reactions of this kind, there are noticeable some efforts that partake more of enthusiasm than of judgment, and that seem directed more to private views than to public benefit. To become conspicuous by officious meddling, and to promote personal objects under the appearance of plans for general improvement, cannot be regarded as new in character, though being new in this instance, it shocks the feelings of the philanthropist and lessens the zeal of the convert, and ultimately postpones a work that cannot be undertaken too soon, nor carried forward with too much prudence.

These things we must expect; they belong to great enterprises. The purse-bearer often forgets that the funds which he manages are for general use, and he ruins himself and jeopardizes his work by his attempt to enlarge his coveted treasure by thirty pieces of unlawful gain.

What is required, is a sober, just appreciation of the enterprise, whatever it may be; a devotion to the proper means of promoting that enterprise, and a patience that will await the operation of new means upon the public mind—that shall allow of seed time and culture, before the harvest is looked for.

Of course, also, all who engage in the work, and place themselves, or allow themselves to be placed, forward in the presentation and advocacy of the plan, must feel themselves and their interests secondary to the work, and learn to sacrifice their own feelings, and hold in abeyance their own aspirations, till something permanent is effected. The weight of the advocate who is determined to rise with his scheme, usually breaks down that scheme, and the concession which the intended advocate is tempted to make to opposing systems, often defeats the expectation of friends, and results in the sacrifice of the distinguishing benefit of a great plan, to personal views. The weight which is used to overbalance opposition is placed upon that arm which should rise, and thus it defeats all hopes of success.

It is one thing to agitate the public mind; it is another and more important office to quiet that agitation and direct it to rest upon an assured means of good. For the last ten years the question of prison discipline has been largely discussed—less comprehended. Almost all admit the importance of the subject; very few comprehend all its bearings. Humanity mourns over the moral evil of unregulated imprisonment. Cold morality comforts itself with the conclusion that the convict suffers no more than his offences have deserved. Prisons have always existed, say the latter, and prisoners are little better for the kindness that has relieved their incarceration from a portion of its bitterness.

Kindness, says the philanthropist, has not only lessened the misery of the convicts, but it has often sent them forth improved in their morals.

"Society," says the rigid moralist, "is at least saved from the depredations of the bad while they are in prison, and steady severity will excite those terrors which deter from easily detected and severely punishable offences."

"But society," says the philanthropist, "is not more concerned in the punishment of the guilty than in the improvement of the criminal. And society derives greater and more permanent security from the restoration of the repentant offender than from the graduate of the penitentiary that lurks around to make his freedom an occasion for mischief."

That the philanthropist is right a large part of the community will admit; that he is right, those who have had experience really know.

These, then, are not questions for discussion. They are admitted, and on that admission are founded the arguments for improvement in prison discipline. For, if only punishment for crime, or the withdrawal of the criminal from opportunities of criminality, was the object of imprisonment, then it would seem that the discipline of the prison is not sufficiently severe, and that the term of punishment is not of adequate length. Vengeance, if admissible, must be proportionate to the cause, or it is ridiculous. Withdrawal of the criminal from society lest society should be injured by him must be of a permanence to insure the object, or the criminal will only return with augmented energies and renewed motives for mischief.

The mode of producing the true ends of imprisonment is that which occupies the public mind in some

degree, though, perhaps, not so extensively as is inferred by some from the activity of many who are moving in the question of prison discipline. But the *modus operandi* is now the true matter at issue. Imprisonment is a necessity—the vengeance of the law and the higher motives of humanity, motives that begin now to be discernable in recently enacted laws, are to be gratified. But another consideration has been eliminated by the agitation of the prison question, viz., the improvement of the criminal convict and the strengthening of society by the restoration of some of those elements which crime and its consequence and punishment withdrew.

Taking into consideration, then, the old and the new elements, the question is how may all be accomplished,

1. How may the offender be kept from the opportunity of adding to his offences if he desires to increase his guilt?

2. How may the righteous vengeance of the law be inflicted upon the violator of the statutes?

3. How may society be relieved from the apprehensions of the repetition of evils which the bad have inflicted?

4. How, with all this, may the felon himself be improved in morals and made a better man?

All of these divisions, though separate and worthy of consideration apart, must be regarded as composing one great object in prison discipline. Though one of them may seem to be receiving special attention to the neglect of the others, yet all are in progress if *one* is rightly conducted. The reception and punishment must initiate

the work of improvement. But reception, punishment, detention, all are but parts of the work of improvement, and really are of little avail unless they be the means, and successful means, of producing that improvement.

*How may the offender be kept from the opportunity of adding to his offences if he desires to increase his guilt?*

A very simple and direct answer to that question is presented. He certainly is not likely to add to his offences, though he may desire to increase his guilt, if he be kept safely locked in the cell of a well-constructed prison that is well guarded, and it may be added that people once thought, and even now, in some places, think that such a disposition of the prisoner is the only sure way to prevent his repetition of crime, that is while he is the occupant of the cell.

We may, as a general rule, believe, if the pardoning power is not exercised and escape is prevented, that society will be safe from the depredations of the convicted felon till the term of his sentence shall have expired, and in that regard prisons and penitentiaries are excellent institutions.

We then have an answer to the question how may the prisoner be kept from the opportunity of adding to his offences. Of course the offences include only those against society. Shut up the evil-minded person as closely as possible, and exclude him from all intercourse with his kind, and he may sin more than when he is in the act of crime outside the prison.

The questions as to the safety of society seem to connect themselves with some others. We answer generally that the mere seclusion of the culprit, even if he

have a plenty of work, cannot be regarded as much of a means to insure society against his depredations after the close of his term of imprisonment. Solitude is good for a good man, and sometimes is a means of producing good resolves and devising means for their fulfilment, if there is much moral principle uncontaminated. Men get into prison sometimes and work out long sentences, when apparently their moral powers are uninjured beyond the mere offence for which they are suffering. Such persons are benefited by solitude, and often, too, benefit others with whom they may be associated. But absolute solitude, solitude unbroken by friendly calls and good advice, is not always a means of improving the bad; it hardens dislike into hatred. Solitary prisoners feel shut out from all mankind, and hence they naturally cultivate and fix a hatred for all their kind, a hatred not likely to be diminished, excepting towards those who may, on their release, be associated with them in the work of mischief, for which solitude has sharpened their intellects and matured their plans. And social confinement is even worse; it is likely, as all experience teaches, to weaken the good resolves of the good and to perfect the destruction of the morals of those who have been only partially tainted.

For the bad, the confirmed bad, associate imprisonment enables the utterly depraved to deprave his half-depraved companion, and more plans of house-breaking, and felonies of like character, have been proposed, considered, debated and perfected in a congregate prison than were ever matured in any club or conclave of *free*, professed rogues. And what is more, schemes of felonies



concocted in prisons are much more successful than those planned abroad. In prison there is time to think of the movement, to compare experiences, to weigh well the chances of success, and to consider the best means and instruments, and the mode of securing safety if successful, or of covering the retreat if defeated.

Other people find their way into prisons and penitentiaries for small offences, which seem very small, very inefficient exponents of the utter corruption of their morals. We cannot always judge of the man by the particular crime for which, as a convict, he is suffering.

The question, "How may the felon be improved in his morals and made a better man?" includes the others, especially if we admit what all who act towards the improvement of prisoners must admit, that if nothing but the vengeance of the law, the punishment of crime, is the end of imprisonment, then the surer and the severer the punishment the better.

How may the convict be improved?

The convict is a human being, and has a claim as such upon humanity. If Terrence was right when he said "I am a man, and nothing that concerns humanity is alien to my breast," then the convict may exclaim, "I also am a man, and as the alleviation of my condition concerns humanity, it should not be alien to the breast of my fellow-man."

Apothegms sometimes acquire distinctiveness by being viewed in their subjective as well as in their objective bearings. The *duty to help* seems almost to admit a *right to ask*. Common sense will admit that where there

is a duty, or even a desire to do good, that duty can be discharged or that desire can be fully gratified only by the selection and use of the best means to effect the proposed good ends.

For a system of prison discipline, we know of none ever practised or proposed that can be favorably compared with what is called "the Pennsylvania system," that of "separate confinement" of the prisoner, his utter exclusion from intercourse with and even the sight of, any other convict in the same prison. This is the system adopted and practised in the Eastern Penitentiary of this State.

We are careful to note here that this Pennsylvania system is that of SEPARATE not SOLITARY confinement. The criminal law of the State has in it the word "solitary" ("separate and solitary") confinement, and such was, perhaps, the intention of those who suggested that law, but the intention of the Court, when it sentences a convict to the Penitentiary, is now not solitary confinement, the exclusion of all persons from intercourse with the sentenced, but *separate* confinement, that is, the entire, perfect separation, during his whole confinement, of the convict from intercourse with and the sight of his fellow-prisoner, but his frequent intercourse with the proper members of his own family, his conversation with his keepers, his enjoyment of the lessons of the "moral instructor," and the weekly, or, if convenient to *them*, then the daily ministrations of the benevolent members and representatives of the "Society for Alleviating the Miseries of Public Prisons."

That kind of imprisonment (the exact kind at the

Eastern Penitentiary) cannot certainly be regarded as "SOLITARY *confinement*."

That kind of imprisonment is what we wish to be regarded as the system which does more for the improvement of the convict than any or all others ever adopted.

The separate system is greatly dependent for success in its application upon the plans, form, division and construction of the prison, so that there shall be no intercourse among prisoners, no sight of each other obtained, while, at the same time, there shall be no deprivation that shall injure the health or weaken the intellect beyond what exclusion from the world does in most cases produce.

All these requisites are found in the Eastern Penitentiary in this city, "requisites of construction and administration."

The importance of construction to a proper administration of the affairs of a prison, is exhibited in the reports of prison government abroad, where resorts to various expedients show that the system cannot well be carried out, in the existing prisons. A large portion of the prisons abroad are, or were till very recently, dilapidated castles—vacated donjons, convents, and old buildings, never constructed for prison purposes, or if for prison purposes, then only with a view of gratifying a cruel disposition—of revenging real or fancied wrongs—or disposing of some whose presence abroad hindered the gratification of ambitious wishes. In some of these, solitary confinement was possible—but separate confinement, as practised in the Eastern Penitentiary, could

never be established. There may have been attempts to meliorate the condition of the inmates of such dens, but it is not strange that want of success should be deplored, though it is to be regretted that a system should be condemned as inapplicable. The machinery for crushing gold quartz must be very different from that profitably employed in coining the gold. "Give me where I may stand," said the great Syracusan, "and I will raise the world." What the desired fulcrum was to the ambition of Archimedes, the well planned, well constructed prison-house is to the philanthropist who would meliorate the condition of prisoners.

In this country, most of the prisons were built for prison purposes, but those purposes only included the detention and punishment of prisoners, and they serve no other purpose directly, or incidentally, but certainly they are productive of another result, viz. : fixing bad principles, perfecting felonious education, and supplying new assistants to the work of mischief.

Had the Pennsylvania system of prison discipline been generally adopted, the prison-houses of our country would have been constructed to assist in the great work of prison improvement, but unfortunately the necessity of constructing prisons to suit the system, was one great hindrance to the adoption of that system. It costs—and to pay those costs the holders of property must be taxed—and if any administration of county affairs augment the taxes, there is danger of party loss. How much loss to all would result to the country from the restoration to the world of the lost person convicted of felony, and imprisoned only for punishment, and the

natural consequence of associating with the bad, few think—few, too few, care for, and, of course, few consider the immense advantage of restoring the fallen young man to a condition in which he may, in time, win back confidence, jeopardized, if not lost. “So save the money and let the man perish.” “*He has chosen his course, let him receive the consequences.*” Against that last idea we will not now argue—but that it is wrong, every meeting-house, every church-spire in Christendom affirms.

One other reason—no, not reason—one other cause has militated against the erection of buildings to carry out the true system of imprisonment, and that “cause” is the abominable thirst for money-making—the terrible desire to make the prison a money-making concern—or at *worst* a “self-supporting” institution.

Certainly the Eastern Penitentiary in this city has not made money for the treasury of the Commonwealth. It has not been self-supporting in the vile sense in which that title is applied to Penitentiary institutions in several States. We have from the “moral instructor,” and the visitors of the Eastern Penitentiary, authentic accounts of great moral improvement in many of the convicts in that institution, and, what is more, we have well attested statements of the permanency of the moral improvement manifested years after the convicts have left the Penitentiary.

When a person eminently qualified to judge of, and speak for, the order and discipline of the Eastern Penitentiary, mentioned to a principal officer of one of the New York State prisons the most gratifying fact of the

thorough reformation of great numbers of those who had served a time in that institution, he received for a reply, "Oh, yes, that is natural; but then you go in for *improvement* in the Eastern Penitentiary—we go for *making money*. Our success then must be very different from yours." And he might have added, their State Prison, which "goes in" to make money, produces another most politic end, viz.: they ensure the means of perpetuating their money-making, by securing the return of their graduates. In that respect the New York prisons are *self-supporting*—with regard to the *personel*, while the Pennsylvania system, not having any interest in the profit of felon labor, fulfils its office by trying successfully to diminish the number of felons.

The friends of the "Pennsylvania system" are often met by the bold statement that the prisons in some States (Massachusetts is perhaps the most frequently mentioned) are self-supporting. Indeed, they are money-making, it is said. The statement made by the authorities of Massachusetts does not show a single jail or House of Correction in that State that comes anywhere near paying its expenses. The average cost of maintaining the prisoners is more than two dollars (\$2) a week. It is true, however, that by the contract system, the State prison in Charlestown is said to do even more than pay its expenses. We congratulate Massachusetts upon the fiscal triumph. We congratulate Pennsylvania that she makes no money out of compromises of that kind. New York State has, for some years, been trying to make her Penitentiaries profitable by what is called the "contract system," in which, as

we quoted above, she hoped to make money, and not to improve prisoners; that plan, so far as it regards money-making has failed, but not as it regards the *non-improvement* of prisoners. Now the friends of humanity who are active in the measure of prison discipline, are anxious to abolish the contract system, because it is cruel and morally injurious to the prisoner, and not so profitable to the State as it was expected to be. We do not know that New York will adopt and carry out any better system than that which is about to be condemned and abolished. But it is a consolation in looking at the changes proposed, to know that the one to be adopted, whatever it may be, cannot well be much worse than that which has been condemned. It is something to feel that the worst has been experienced.

The Pennsylvania system of imprisonment requires a particular construction of the building; generally it is found best to have instead of two persons in one cell, really two cells for one person, by which means all the healthful appliances of home may be secured without incurring the danger of association, or the risk of escape. More air and sunlight are secured also by these "twin cells," and among women the habit of order, decency, and delicacy is kept up, if it ever existed, as it generally does, or if they enter the cell without that habit, it is soon acquired.

Baths, and the means of reaching them without exposure, terrace walks, so conducive to health, are assured, and the whole work of separate confinement goes on without the constant espionage which makes solitude irksome, and without that constant monition and re-

buke which badly constructed prisons insure, and which lessen the chances of the prisoner's improvement.

Experience, and that alone, will show the weakness of parts of the best prisons that have ever been constructed, and the occasional escape of a few prisoners illustrates this idea, while it shows also the effect of confidence which the superior manifests in some of his charge.

We would, however, not have this abuse of confidence made an argument against confidence. It will generally be found that it is companionship that leads to this violation of moral and criminal laws, and men that enjoyed liberties, gratifying to themselves, and the uses of which would be advantageous to the institution, might have continued in the enjoyment of that gratification, and the exercise of that useful liberty during the whole term of their sentence, if a suggestion, or the response to a suggestion by a companion in the indulgence, had not upset good resolves, and led to a violation of pledged faith.

We stop not now to dwell on the advantages in what is called the "solitary system," of company, and intercourse with fellow beings, and the delight of occasional indulgences of family affection, in the temporary companionship of father, mother, wife, children, and friends. In this last lies the means of softening the heart, and fitting it for the impression of moral and religious lessons. It is presenting closely the motives for repentance—that is, for "turning back" on an evil course, and starting anew.

If any one wants to know how much of human affec-



tion and sound morals may remain uncontaminated in a convicted—a righteously convicted felon, let him go to the cell of such a prisoner, and see the meeting and watch the interview between the convict and his loving wife, his humiliated relatives, and his former friends. The good comes up then, and the moral teacher has often found such a visitation the point from which he may date the commencement of improvement—the beginning of a good end. Many of the convicts of our jails and penitentiaries are of foreign birth, often “ticket-of-leave” persons, who are without any relatives in this country, and with no friends, but their unconvicted companions of guilt. Many of them are natives of the country, and some were born in the very city in which they are suffering, but their parents were as bad as they, and their inheritance, their patrimony, has been vice and crime. What resort have these in a prison of social confinement, excepting the companionship of other criminals?

In separate confinement they may think—they may err—but they may be improved. What they need is a friend, a belief that some one cares for them beyond the mere interest of a keeper in their safety. “That prisoner,” said a keeper, in one of our great penal institutions, “that convict deserves a dark cell, and every other punishment that is permissible here.” “Why, what has he done or said?” asked the chief. “He has behaved badly—he violated the rules, and when I remonstrated with him, he used the most offensive and abusive epithets that ever one man applied to another. He ought to be punished.”

"You do well," said the chief, "to report him, as, of course, you could take no other order upon his misconduct. I will relieve you from any further responsibility with regard to the offence, and I will deal with the offender."

The chief went to the cell of the misbehaving convict, and found him full of wrath and bitterness. He talked to the offender, spoke to him kindly, while he dwelt with earnestness on his misconduct. In a little while the poor fellow softened down. "I was wrong," he said, "I was wrong, but I did not then see or feel how wrong I was. How should I? My father and mother were both drunkards, and seemed to have no interest in me, unless to keep me out of their sight. They never concerned themselves as to the way in which I got my my food, only so I did not ask them for it. I grew up a 'Schuylkill Ranger,' with most of the bad qualities that made me useful in that company and dangerous to other people. No human being had a word of kindness for me, no person ever praised me for anything but crime, and when I got into this place nobody here would praise for crime, and there was apparently nothing else in me. I will try to do better now that I see that doing better will please somebody, and your advice and kindness will not, I hope, be in vain. Only continue to have patience and to forbear with my many faults for the sake of the good which your patience and forbearance may produce, and I shall try to remember that your voice was the only one I ever heard in kindness when it meant reproof."

"He that hath rule over his own spirit is greater than

he that taketh a city," says Solomon, and we may add that he that hath not rule over his own spirit is wholly unfit to rule the spirit or flesh of others.

We approach the solution of the question which was propounded in the early part of this essay, viz.: "How may the convicted felon be improved in his morals?"

A properly constructed prison, in which the sentence of the Court may be humanely carried out, and its sentences of punishment be so inflicted that it shall promote a desire for improvement; so constructed that the instruction of the teacher and adviser shall not be lost by the evil associations to which the old and, perhaps, generally the existing mode of imprisonment exposes the convict; so constructed that there shall be no intercourse between any two prisoners by word, letter or signs; so constructed that the inmates of the cells may have and enjoy the permitted visits of their relatives and friends, and profit by stated frequent intercourse with the established moral instructor and the appointed visitor; so constructed that, while the walls shall restrain the movements of the incarcerated, they shall not cause a morbid distrust of coming freedom; so constructed that, while more of moral influence may be secured to the inmate than he enjoyed in the world, he shall not forget that he has been a criminal, and is undergoing the just rigor of the law in a deserved punishment. We cannot hope for improvement in persons who are not convinced that they have been doing wrong. A sense of the consequences of crime is one great means of begetting a dislike of the cause of suffering, and at that moment of gentle monitions the dislike is directed

into the channel of resolves to avoid the cause, and thus may commence that kind of repentance which, in the language of Scripture, is "unto life never to be repented of."

Persons who have devoted much time to the "alleviation of the miseries of prisons" have found in their poor clients, especially the females, a great unwillingness to admit that their case is like that of other persons, that the wrongs which they have committed arise out of a principle that has taken possession of their minds, and is the result of an extensively vitiated habit of thought; and still less willing are these prisoners to admit that their course of life is leading directly down to the miserable degradation which is observable in those who have preceded them in vice and crime and in the occupancy of the criminal cell.

This condition of mind is not peculiar to the convict. We all feel that, in some respects, we are different from and, perhaps, better than others whom the world ranks with us, and this feeling, this exception in our own favor, though it may appear ridiculous to some who only notice it in the very bad beings who are growing worse, may, perhaps, be that point upon which good friends may hang their lessons with the hope that, as the offenders do not think themselves entirely lost, those lessons may be made profitable. It is not best to treat the convict as if conviction for one or for many crimes denoted utter vitiation of principle; persuade to goodness, and strengthen the lesson by awakening fears that the lower degradation of fellow-prisoners is a natural consequence of the conduct and association

which have ensured conviction. It is legitimate to awaken fears as well as to excite hopes. "Knowing, therefore, the terrors of the Lord, we persuade men," says the Apostle. It is not difficult to persuade the great offender that, low as he has sunken in the moral scale, there is "below *his* lowest deep a lower deep." To persuade him to pause, to turn back, and re-ascend, "though hard and rare," is the work of prison visitors. But of that work and of them we shall speak specially. The prison, to be a proper place for the improvement as well as punishment of prisoners, must be specially and appropriately constructed. The cells must be so arranged as to admit of no communication between prisoners and to allow of free and frequent intercourse between the inmates and their visitors. The work of the prisoners should be such as would be useful to them if out of prison, such as weaving, shoemaking, &c., and it should, if possible, be so applied as to insure to the laborers some reward, some compensation. The sentence which the Creator of mankind pronounced on the first convict, "Thou shalt eat thy bread in the sweat of thy brow," is always considered as one in which mercy largely tempered justice, especially as acquiring a support, is involved in eating. So, also, the sentence to separate confinement and hard labor and prison fare is to be esteemed a philanthropic advance on the old sentence of social, idle imprisonment. Separation gives time and means for thought and resolves, and hard labor passes away time and produces an appetite for, and promotes digestion of, prison fare.

Have readers and writers of essays on prison discipline ever given attention to the psychological advantages of "separate confinement," as promoting *thought*, leading to the process of thinking? Have they given sufficient attention to the importance of '*thinking?*' Perhaps not, and the importance of that mental process is properly considered in this part of the subject of prison discipline.

What fills the prison and the almshouse—what makes vice, poverty and crime is the want of *thinking*, the neglect of the great powers that exist in various degrees in all, and which may be almost indefinitely extended by instruction and practice. That same power of thinking has conferred immortality on men who exercised it to public good, and in their number and influence has been placed the greatness of nations. The distinction between the permanent true greatness of one nation and the littleness and subserviency of another lies in the exercise of thought. The nation that is really great is only a thinking nation. Smitten with the miseries of his own country, and with the obvious causes, the prophet exclaims: "With desolation is the land made desolate, because there is none that **THINKETH** in his heart."

What is true of nations is eminently true of individuals, especially as national greatness is nothing but the aggregate of individual distinction. And the man who is said to be a victim of vice and of folly, and the child of misfortune, is only the non-thinker. Victim, indeed—victim of his own *thoughtlessness*—Child of misfortune!

Dr. Young justly says:

“Look into those you call unfortunate,  
And closer viewed, you’ll find they were unwise.”

Children of crime, children of neglect, are those who look up from the court-house dock and are punished for vices which their parents practised, and which they have unthinkingly incorporated into their moral system.

Folly, vice, crime, and their repetition after punishment are the consequences of a want of thought. Teach your convicts to think, and as you give them food suited to their physical circumstances, so measure out to them mental pabulum upon which their thoughts are to be founded. Give them rest, quiet, repose—that the food of the mind may assimilate, digest, and nourish the soul into thought.

“Why did you continue to drink when you saw so many older than yourself going down to destruction from the use of intoxicating liquors?”

“Oh, I did not think that I should ever entirely yield to the bad habit.”

“But when you had yielded to drink, why did you not forbear crime? You saw how all those criminals commenced with, and continued in, drunken habits.”

“Yes, but I did not think of it then.”

“Why did you commit that awful crime when you knew (to say nothing of the punishment of sin in another world) that such crimes are ninety-nine times in a hundred detected and punished?”

“I see it now, but I did not think of it then.”

Go through the whole catalogue of errors, of vices,

of crimes; put the question why each was done, and the answer will be—

“I DID NOT THINK.”

Parents, teachers, friends will prevent crime by teaching the young to think; but when age has settled the habit of *unthought*, and consequent crime is being “purged away” in the prison cell, then some kind discipline must withdraw the offender from bad associations, and in the silence and *solitude* of his cell he must be taught to think. There the great distinction of man and brute must be illustrated, and the powers which neglect deadened must be vivified by the breath of instructed and instructive kindness, and the victim, *dead* in thoughtlessness and crime, be made a living, thinking soul.

We will not argue the point of separate dealing. We know its power—and we know the inefficiency of the other course. Men may be made to talk in classes and under discipline, or they may be made to keep an enforced silence, while nursing evil designs—but it is only in a separate and quiet position that the voice of good instruction avails.

The denunciations from the pulpit or the rostrum to the hundreds of *prison* offenders, is often only *brutum fulmen*, ineffective attempts to drive into good intentions, while the gentle voice of persuasion, that is mingled with the wholesome, quiet insinuation of wrong committed, alarms no personal pride and awakens no hostility, it gently lures to repentance and fixes the resolve. The tempestuous preacher, “who mounts the storm and rides upon the wind,” gives no proof to the



degraded offender of a divine commission. It is the small, still voice that converts the convict, because it intimates the prisoner's good.

And now, we come to one other requisite of prison discipline.

How shall it be obtained?

We ask the question tremblingly—before we state it fairly; we inquire whether certain qualifications are available, before we have propounded the nature and extent of these qualifications.

The prison must be built correctly, else as a house it will fail in architectural proprieties, and in true adaptability. There must be a general plan for conducting the institution, or it will fail even of the lower purposes of confinement and punishment. But it must be well conducted, and the system must be well administered. Two great qualities seem to be required in one man who shall be called to superintend the penal plan, viz.: administrative qualities as it regards the building and grounds; as it regards the funds and ordinary munitions of the place, what would in older parlance be denominated good husbandry. And to these powers, the will to maintain the prisoners in their places, and to secure from them obedience to the laws of the State and the ordinances of the prison.

To those qualities should be added, if possible, the ability to deprive punctuality of the appearance of severity—or, if severity be necessary, then to deprive severity of the appearance of cruelty—to comprehend the character of the convict, and see how much of the crime for which he suffers is due to a depraved heart—how

much springs from accidental associations—tocomprehend so much of his business as to feel that he is not at first to look for many virtues in men who have got into a public prison for crimes, nor to conclude that the offender is irreclaimable because he has often been guilty.

Decision and the fulfilment of threats that have been given as monitions, are necessary to the proper government of the place. They are necessary to give efficacy to promises to consider and reward the evidence of improvement. But with all these, while the difference between a high-toned, virtuous man, placed in care over a large number of convicted felons—and those convicted felons under his care, is almost infinite, and cannot fail to appear in the conduct of the superior and the conscience of the convict; that superior *must*, and if really superior, *will*, let his clients feel, that the keeper and the kept, the warden and the convict are both human beings, both children of one God, and that the God who has placed one man, by virtue over another, promises to equal both in his love, when both shall by repentance and by reformation entitle themselves to his love.

It is not positive virtue, only relative, that marks the keeper; it is not positive criminality, only relative, that distinguishes the *kept*. From a distant position there might not be discernible so much difference between the two (between any two) as is apparent when closely compared—just as the twin stars, which are millions and millions of miles apart, seem, when looked at from the standpoint of earth, to be in close proximity, if not

in contact with each other. But they are distant, and so, in reality, are those who live by virtue and those who suffer for crime. We must never confound virtue and vice, simply because the vicious man has some latent virtues, and the virtuous man may have to contend against some vices. The desirable point is, that as the virtuous are always on the road to improvement, so also to place the vicious on the same track. The latter may not appear to have approached very near the goal—but does any one know how distant was his starting point—how far he has already come? These considerations should influence the one who is seeking the reformation of prisoners. The convict should feel—feel in every part, that his keeper sympathizes in his condition, that he is not one of those perfect ones who come to a cell to gratify a morbid curiosity, or to discharge a hastily assumed duty—a duty that too often seems to be fully discharged by the visit—and not by that which the visit permits and the law enjoins.

The great difficulty is, and must ever be, in this branch of the question, to find a man who combines the qualities of the knowledge of administration, order, precision, and fidelity to employers that shall satisfy the *law* with regard to the safe keeping and fair treatment of the public prisoner, and the proper direction of the affairs of the public prison, with that pure philanthropy which makes a knowledge of these things, and the ability to discharge them, means of really improving the moral condition of the convict, and making him feel that he is rated as one who though he has shown power and will to do wrong, has in him the great faculties of

doing right, and that there is confidence that he not only *can* but that he *will* do right.

What is meant is that it is required that the head-keeper of a prison, whatever may be his designation, should feel that there is entrusted to him the great work of keeping and teaching prisoners—of punishing and amending the convicted felon; and as surely answering for *attempts*, at least, towards making him better, as for efforts to keep him safe.

We should not think very highly of a physician to a hospital who should report his patients dead or discharged unimproved—and demand commendation for those services that had prevented the sufferers from surreptitiously leaving the hospital. It is as much a part of the office of the hospital physician to cure the physical ailment of his patients, as it is to detain them in their wards. But it will be said that “the patient is sent to the hospital to be healed of physical infirmities, and that his detention is only for the cure of his disease, not the punishment, only a consequence.” Well, that is true, but formerly there was no hospital, and the leper and the others who had contagious diseases were left to themselves till death relieved them of their suffering and society of their dangerous contact. Public feeling has been influenced by pure humanity, and a change has been wrought, so that the wretch, who has by his vices brought upon himself some of the worst evils that flesh is heir to, may plead his humanity at the door of the hospital, and he will not only be kept there that society may not be annoyed by his loathsome presence, but he will be physically dealt with so that

on his discharge society will have nothing to fear from his contact. This change in the appreciation and treatment of the physical sufferer is well understood, and a similar change has been going on in public sentiment with regard to the moral leper; he is to be shut out of the way as he formerly was, the consequence of his moral disease, and that society may not suffer by the operation of that "moral disease"—but the hospital to which he is assigned must now have in it the means and the ministers of cure. He must not be discharged because he has been detained the assigned period, but his egress must suppose some success in the moral application of the means for his improvement. Public opinion is working, then, this change just as assuredly as public opinion and true philanthropy provided hospitals for the sick and asylums for the orphans. And that public opinion, in the case of prisons, may influence as it has influenced in the case of hospitals and asylums, we must have administrators suited to the new requirements and able and willing to work the reformation of the prisoner as they are to secure his imprisonment.

It may be said that "it will, at first, be difficult to find 'wardens' and 'head-keepers' who contain in themselves the qualities necessary to administer the law with regard to the detention, the feeding, and the employment, as well as to make the prison a place of reform."

We will not say that such a difficulty does exist—that such men are scarce; and as there has been no demand for them, men who may possess gifts for such a combination of power are not aware of their own

abilities, and the public are unable to say who could do the work, not having seen it attempted. But this we can say, that as soon as the duty of reformation is recognized, and provision made for the discharge of that duty, the labors of the head of the prison, if he be unequal to the double task, will be supplemented by volunteer laborers till the full preparation is had for a single director. Let the duty, the necessity for improvement, be admitted, and all else be provided for, and the power will not be absent. The importance of the *work* established and the *time* secured, the *man* will not be wanted.

Men for all duties of humanity are always about. It requires some discernment to detect the capabilities of certain persons, and it takes some *art* to bring out their talents and adapt them to immediate wants, but they *do* exist. They *may* be discovered—and they *can* be, as they *have* been, *educated*—and applied, just as the artist knows that in the block of marble before him there lies enveloped a splendid form of beauty or force, female loveliness or manly strength, and it is his business to bring it forth. The block might have served for the step of some common door; it is made to adorn the galleries of wealth and art. The man might have sat for years at the door of a cell, and whispered consolation and monition into the ear of the repentant convict—the necessity for higher service leads others to discern in him the capabilities of raising the place of punishment into the home of reformation.

We repeat it, whenever it shall be admitted that the great end of human punishment is to make better the punished, then, and, perhaps, not till then, will the *man*

be found who can lead the discipline of the prison by affectionate firmness. He will be the man who loves his fellow-men, and who evinces his faith in the gentle government of his kind by practising self-control.

We come naturally to another important consideration of the government and discipline of a prison.

Having procured a principal, such as we have supposed in the preceding paragraph, we find that we have begun at the right end. A full knowledge of, and a proper disposition towards, the *governing* of prisoners, suppose in the principal another very important qualification in that officer, viz., the selection and direction of subordinates. That is vastly important. Hundreds who are able and willing, often anxious, to discharge all the duties of the position of assistants, or keepers, have not the ability to govern their own tempers; have, indeed, never been informed that such a government was proper; never attempted any such control, unless under the powerful application of a stronger man's blows; never heard, and, therefore, never attempted to put into practice, the wise man's instruction, his hint as to the power of him "who hath control over his own spirit."

The law allows the keepers to punish prisoners, and, in some instances, the permission is useful, and the keeper properly avails himself of the liberty. But the wise superior will carefully hold in his own hands the means and instruments of punishment, because he intends to make that punishment, or a recognition of the deserving of the punishment, a means of improvement. In the hands of the subordinate, the infliction reaches the first end, viz, *punishment*; in the hands of the

superior, the giving or the withholding of the prescribed infliction may produce reform.

When the subordinate punishes, he punishes promptly; he has been offended, and he uses the right to inflict, and the infliction rarely amends.

When the superior hears that a convict has grossly violated an important rule by word or act, he may say to his subordinate: "Go, and inflict the penalty which reason suggests and which the law permits." Perhaps the punished offender will learn not to disobey again a wholesome regulation. *Perhaps* he will not, during *that* term, offend against the rules. He may not like dark cells or chains and very short commons applied in utter solitude. These considerations may prevent other violations by that offender while in the prison—but such dealings create no kind feelings, no regret at offending the superior as well as breaking the law; it brings back to the poor creature, "dead in trespasses," no moral life, no feeling of relationship or love. The hatred is fixed, and revenge, instead of improvement, is nurtured by the substitution of violence and deputed power for affection and direct dealing.

Let the warden punish in love—let the keeper learn to keep himself. The high and holy office of appealing, of *chastising*, is the duty of the superior. The subordinate may punish—the master must chasten and improve.

When the prophet learned from the Shunamite mother that she had left at her distant home her only child, dead upon his bed, he pitied the anguish of the afflicted parent, and sent his servant to the house of



mourning, with instructions to lay the master's staff upon the dead boy.

The servant obeyed—he went and applied the staff. The dead one gave no signs of life. But the master entered into the chamber, and shut the door and prayed, and stretched himself upon the child, hands to his hands, mouth to his mouth, and eyes to his eyes. The cold flesh grew warm—and when, after giving time for the operation of his first application, the prophet returned to the chamber and, separated from all others, he renewed his efforts, the child was restored to life.

Cannot a lesson be learned from that beautiful Scriptural anecdote?

Let the warden undertake the work of correction himself. Let him keep back his servant and the staff, subordination and infliction, from the offending convict. Let him shut himself alone in the cell, and, after prayer, let him deal affectionately, sympathetically, with his client; let him, when no human eye sees, no ear but God's hears, show himself a man like the prisoner, and hand to hand, and breast to breast, and with eye to eye, let him breathe into him the spirit of affection that shall make him a living soul. The physician of the prison may cure the diseased flesh, and the keeper of the cells may punish the thoughtless or wicked offence till the prisoner ceases to do wrong for the time. These are great works, but the mighty work, the great miracle of the public prison is when the chief or the visitor speaks to the convict the word of affection, and when, with assurances of sympathy, assurances stronger than the chains that are on the offender's limbs, he makes him understand

that the difference of their condition is only the consequence of regulated or of disorderly passion. Then the power of love manifests itself, and the weakened, useless emblems of anger and revenge show their impotency—and though the convict may have lain in prison till his memory has become affected, the spirit of love stands at the door of that sepulchre of the fallen, living one and bids him “come forth.” And the spirit of true philanthropy says “Loose him, and let him go.”

---

## INSANE CRIMINALS.

We have, in our abstract of the reports of prison directors in Great Britain, had occasion to notice the growing sentiment of humanity towards insane prisoners, and it has been most gratifying to observe that measures are being adopted to insure to that afflicted class of persons treatment that will provide in the worst of cases, all that the suffering being can receive from kind and skilful hands, and will give promise of relieving a less-afflicted class from a portion, at least, of their mental malady, and restoring some to perfect sanity. This is a great step in the right direction, and we ought not to doubt that the Legislature of the Commonwealth will, in the continuance of its good work, make liberal provisions for the same class of sufferers in this State.

It is said that some are incurably insane, and hence

there is less encouragement to legislate in their behalf. Who knows that a man is incurably insane? We know that there are many who are never cured, and we cannot doubt that there are some whose disease is beyond the reach of human science—but we do not yet know all the curative powers of improved and improving science, directed with unfailing kindness, that has wrought wonders in many cases, and may effect cures of insanity even where circumstances seem to have forbidden hope.

But even if no cure can be effected—yet we know that mitigation of the disease may be secured by constant kindness—kindness in the most gentle attentions, as well as in the unpleasant application of restraining means. And the comfort of an afflicted human being, even though he may not be able to comprehend much of that comfort, is worth the consideration of a wise legislature.

We may hope then that human beings who now waste away their lives in a prison cell, without a single comprehension of the act which deserved or the law which prescribed that cell, may be dealt with in the spirit of true humanity, and placed where, even though a hope of recovery may not be indulged, at least the instincts of humanity in others shall not be outraged by the sufferings of these unaccountable people.

The subject of insanity in our penal institutions is one of so much importance that we cannot suppose that it has failed to arrest the attention of the Board of Public Charities, whose close inquiries into prisons and penitentiaries, will of necessity make them acquainted with

the necessities of the case, and enable them to suggest plans for dealing with the various kinds of insanity, as they present themselves in the various classes of prisoners.

---

## PARDONING POWER.

The pardoning power is one of those attributes of sovereignty that has given, perhaps more trouble than some of the duties which seem less desirable. In this country, where sovereignty is only represented by office, great dissatisfaction is often expressed at the exercise of executive clemency, or the withholding of what has been earnestly desired.

Instead now, of being the "mere motive" of grace on the part of power, a pardon tries to assume the character of an act of public requirement, the result of strong application from persons strong in moral character, and important in social or political relations.

There are some who think that when the jury has found a verdict of guilty, and the Court, after patient and able investigation, has pronounced the sentence which the law authorizes, there should be an end of pleading, and the convict be left to the provisions of the law. And, if human courts were infallible, if man was unchangeable—and, if above all, a man because criminal was isolated, then the sentence of the judges of our courts might stand like that of Rhadamanthus, without reconsideration by the judge or pardon by the executive power.

But things are different, and advanced opinion requires some concessions even from justice, and what was to be endured in other times may be amended now, and even crime may be expiated without the full extent of infliction, provided the criminal amends his life and seeks to do good.

For a long time persons who take an interest in social science, have been of opinion that the pardoning power in our State should be administered by a person or persons who had means for discussing the claims made for clemency. But as the power is one that belongs to the Constitutional privileges of the Governor, the question has not been presented for deliberation. But at the present moment there is a probability that the general provisions of the organic law of this State will be submitted to a Convention for revision and perhaps for amendment. And those who desire some change in the mode of granting pardons, are hastening to digest various schemes which have occupied individual minds, and to present them in a proper state for consideration, by the constitutional convention. It would be difficult to arrange for consideration all the plans which have been talked about. They include almost every idea connected with the important subject, from an exceedingly lax hold and easy release of the convict, by the most readily reached power, to the total refusal of all claims for reconsidering and annulling the decision of the courts.

A Committee of this Society has been entrusted with authority to consider the subject, and to report its views and recommendations to a future meeting. We are not

supplied with information touching the views of the members of the Committee, but we know that they contemplate no radical changes in the spirit of the Constitutional provisions upon the subject, excepting perhaps to place the pardoning power in the hands of a number of citizens from various parts of the State, citizens some of whom by their local residence, will be likely to know something of almost every case that may be presented for their consideration.

We have heard it said that some of the Committee approve of the provisions of the Constitution of the State of New Jersey with regard to the authority for granting pardons, and that it is likely a proposition to place a provision of that kind in the amended Constitution of Pennsylvania will receive the approval of a large number of the members of this Society and the recommendation of the citizens of this part of the State.

In New Jersey there is a Commission of Pardons, and all applications for releasing a convict from the penalties which the Court has laid upon him are left entirely to that Commission.

While people are looking up men to represent them in this convention we hope that judicious people, who have little to do with primary elections, or with any elections till they read in the newspapers the result of the voting, will, at least, weigh well some of the propositions for amendment, and especially that which refers to the pardoning power.

## CONCLUSION.

In a review of the state of public mind and the advance of opinions in regard to reformatory punishment, one is struck with facts that indicate a vast progress towards the great end—the alleviation of the miseries of public prisons and the amelioration of the condition of the prisoners. We must not begin to count the number of States or communities that have adopted the true system, and cherish fears of success, because, as yet, little or no fruit is found. As well might the agriculturist despair of a crop, because in April he saw nothing but buds upon the trees, or in May could count nothing but the first bursting forth of vegetables planted.

We have for some time seen in Europe and in this country the public mind directed towards the great object of prison discipline, and we have seen and felt the influences of special legislation with regard to our prisons. Propositions from all quarters are made for promoting the object, and though these propositions do not indicate the true mode, nor does that legislation correct entirely the existing evils, yet they admirably illustrate the state of public feeling, and are to be counted, at least, as *some* steps in the right direction. Public knowledge will probably find expression in the kind of legislation which we have and shall have—but individual or associated effort will increase public knowledge, and thence influence legislation.

We regard with philosophic satisfaction both the efforts and almost necessary failures of efforts to improve

prison discipline. These are failures only as it regards the final *accomplishment* of the object. The very failures—being failures of attempts to advance—make room for new efforts, all in the right direction, and plans, however visionary, and schemes of combination, however enlarged, may, while they demonstrate exceeding love of self-glory, nevertheless awaken attention, excite observation, and while these wrecks denote a lack of wisdom in the planners of the voyage, they are beacons to warn others of the danger—they mark the channel, because, though wrecks, they were wrecked *near* the right path.

Those who would pilot a ship through the difficult entrance to a good harbor more often are guided by the remnants of disaster than by monuments of successful navigation. Yet there always was a *right* way, and there are those who seem called to know and to proclaim that way. They may mourn the disasters of the hasty and the imprudent, but they will rejoice that, since there must be failures, those failures denote efforts with good objects, though, perhaps, erroneous plans. Almost all the plans of prison direction which have marked this century are improvements upon some antecedent systems. The worst have been better than those of which they were the immediate successors; and those which for a time were considered best are now acknowledged, as in New York, as failures. And some which are blazoned with much laudation as admirable and “self-supporting” will, before long, be found to yield to better theories and sounder practice, and men will confess that society is more concerned in the



improvement of its members than in the profit from crime.

This Society has been more than gratified with the action of the Legislature of the State that established a Board of Public Charities. That institution is what, for several years, this Society besought from the Commonwealth; and it is proper to state that the Society is not less gratified at the labors and the fruits of the labors of the gentlemen that compose that Board.

The Board of Public Charities is securing to itself public confidence, and we believe that the good work will prosper in their hands. We hope the Legislature of the State will sustain the Board, and by proper aid insure to it the ability to accomplish its great mission.

In another part of this Journal we mention the only loss which, this year, the Society has been called to endure by the death of a very active member. This exemption is rather extraordinary, considering the age of some of its active members, and may not be calculated on. To fear death is scarcely the fate of a Christian philanthropist—not to prepare for it must be the fatuity of a mere humanitarian.

In the belief that the motives and labors of this Society are those which God approves, its old active members cheerfully devote the closing years of life to the promotion of that administration of public prisons which will, as they believe, most promote the good of society by the improvement of the prisoner. And those less advanced in years will, as they have done, give their higher energies, their more effective devotions to a cause that has aided good morals, that has been honored by

the approval and aid of the good and great departed. And the prudence of advanced years, and the matured judgment of middle age, and the zeal and energy of the young will all unite to make this Society, by its doctrines and by its works, a means of enlarged good to the great community in which it exists, and a faithful and grateful almoner of the Legislature of the State that has recently, by its bounty, enlarged the means of the Society's beneficence.

It was an act of lofty duty in the State to provide for the orphans of the soldiers that fell in defence of the Union. It is a beautiful exercise of republican authority in the State to assist the numerous charities in the Commonwealth to extend and augment the means of doing good. But, oh! it is a beautiful effort of effective power in the Legislature of the State, a proof at once of its foreseeing and of its forereaching providence, that at the last session, it opened the hand of charity, and strengthened the means of doing good by an appropriation for the best mode of assisting the convict.

This Society, while it pledges itself to a righteous use of all such appropriations, hopes that its declaration that so far the means have been most justly applied, will strengthen confidence in its solemn assurances for the future, and ensure additional appropriation.

We repeat here what we have more than once declared, that while we have fixed views and have made earnest exertions with regard to certain systems of prison discipline, we do not think that the labors of the members of the Society are to be diminished by the adoption of our own, or of other people's systems. The

end with us is the same. Systems are only means. If we cannot procure the adoption of what we know by experience to be the best system for improving the convict, we at least can, and we must, improve every opportunity presented to promote that great end by what system soever may prevail.

Our business is with the man—our theatre of action is the cell of the convict, our hope of success must rest upon the blessing which God shall vouchsafe to our individual labors. And while the “Acting Committee” assures the parent Society of the fidelity with which its members discharge their duties among the prisoners, the Society may assure the community that its power and its means will never be diverted from the channel in which they have hitherto been directed—directed, it is believed, in a manner to secure the approval of good men—and bring upon its labors the blessings of God.

All of which is respectfully submitted,

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*



#### ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all orders of the Society, or of the Acting Committee, signed by the presiding officer and Secretary; and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested; only the income thereof to be applied to the current expenses of the Society.

#### ARTICLE V.

The Acting Committee shall consist of the officers of the Society, ex-officio, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover, to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

#### ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

#### ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

#### ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* fifth day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

#### ARTICLE IX.

No alterations of the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the presiding officer shall have the casting vote.

# OFFICERS OF THE SOCIETY.

1872.

PRESIDENT,—JAMES J. BARCLAY.

VICE PRESIDENTS, { JOSEPH R. CHANDLER,  
WILLIAM S. PEROT.

TREASURER,—WILLIAM DUANE.

SECRETARIES, { JOHN J. LYTLE,  
EDWARD TOWNSEND

COUNSELLORS, { HENRY J. WILLIAMS,  
CHARLES GIBBONS.

## *Members of the Acting Committee.*

Charles Ellis,	A. Jackson Ourt, M. D.,	Harry Kennedy,
Thomas Latimer,	Rev. Chas. F. Diver,	William H. Burr,
James E. Kaighn,	Benjamin Hollowell, Jr.,	Samuel W. Jacobs,
Alfred H. Love,	John C. Farr,	Caleb J. Milne,
George Taber,	Joseph Kinike,	Isaac Baker,
James Peters,	Richard G. Stotesbury,	Leonard N. Walker,
William Nicholson,	George W. Hall,	Edward Marshall,
Samuel Townsend,	William Hawkins,	Josiah W. Leeds,
Albert G. Rowland,	Augustus Thomas,	A. H. Francisus,
Theodore Trewendt,	J. J. Woodward,	Anthony M. Kimber,
William J. Mullen,	William Vanderveer,	T. Ellwood Chapman,
Thomas A. Robinson,	Rev. E. R. Beadle,	William Whitehead,
John Livezey,	William Ingram,	Edwin H. Coates,
Henry M. Laing,	Horace W. Pitkin,	Benjamin H. Shoemaker.

## *Visiting Committee on the Eastern Penitentiary.*

John J. Lytle,	Henry M. Laing,	Samuel W. Jacobs,
James E. Kaighn,	Rev. Chas. F. Diver,	Caleb J. Milne,
Alfred H. Love,	Benjamin Hollowell, Jr.,	Isaac Baker,
George Taber,	William Hawkins,	Leonard N. Walker,
James Peters,	Augustus Thomas,	Josiah W. Leeds,
William Nicholson,	J. J. Woodward,	Anthony M. Kimber,
Samuel Townsend,	William Vanderveer,	T. Ellwood Chapman,
Albert G. Rowland,	Horace W. Pitkin,	William Whitehead,
Theodore Trewendt,	Harry Kennedy,	Edwin H. Coates,
John Livezey,	William H. Burr,	Benjamin H. Shoemaker.

## *Visiting Committee on the County Prison.*

Joseph R. Chandler,	Thomas A. Robinson,	George W. Hall,
William S. Perot,	John C. Farr,	Rev. E. R. Beadle,
Charles Ellis,	Joseph Kinike,	William Ingram,
Thomas Latimer,	Richard G. Stotesbury,	Edward Marshall,
William J. Mullen,		A. H. Francisus.

WILLIAM J. MULLEN, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.

NEW SERIES.]

[NO.]

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR  
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"  
INSTITUTED 1787.

JANUARY, 1873.

PHILADELPHIA:  
J. B. CHANDLER, BOOK AND JOB PRINTER,  
Nos. 306 AND 308 CHESTNUT STREET.  
1873.



# CONSTITUTION

OF THE

## Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the links which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:

### ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

### ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

### ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.



8

er in

NEW SERIES.

NO. XII.

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

c 7

---

PUBLISHED ANNUALLY  
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY  
FOR ALLEVIATING THE MISERIES OF PUBLIC  
PRISONS," INSTITUTED 1787.

JANUARY, 1873.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET.

1873.

**JUN 24 1927**

**ROOMS OF THE**  
**PHILADELPHIA SOCIETY**

**FOR**

**Alleviating the Miseries of Public Prisons.**

---

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month (December) 17th, 1872, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS, and REV. E. R. BEADLE, D. D., presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At a special meeting of the Society, held Twelfth Month 19th, 1872, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,

*Secretary.*

# TABLE OF CONTENTS,

WITH AN ANALYSIS.

---

## CHAPTER I.

Duties and labors of the Society, . . . . .	9
Acting Committee, . . . . .	10
International Congress, . . . . .	11
Spirit and influence of that Congress, . . . . .	12
End of Imprisonment, . . . . .	14
Prisons places of imprisonment, . . . . .	15
Organization in Massachusetts, . . . . .	16
Board of Public Charities, and its influence, . . . . .	17

### NEW YORK.

Character of Prison System in New York, . . . . .	18
---	----

### OTHER STATES.

Prudence in administration necessary, . . . . .	19
---	----

### PENNSYLVANIA.

Commission of Public Charities, . . . . .	20
Comparison between Massachusetts and Pennsylvania, . . . . .	22

### PECULIAR DUTIES.

Spirit in which this Society commenced, . . . . .	22
---	----

### DIVISION OF LABOR.

Formation and Duties of Committees, . . . . .	23
---	----

### COUNTY PRISON.

Visitors—Male and Female, and their labors, . . . . .	24
---	----

---

**MR. MULLEN'S AGENCY.**

The character of his duties, . . . . .	24
Copious extracts from Mr. Mullen's Report, . . . . .	25
Results and saving from the Agent's labor, . . . . .	32

**EASTERN PENITENTIARY.**

A more pleasant field of labor, . . . . .	32
---	----

**REV. MR. DIVER'S REPORT.**

Extracts therefrom, . . . . .	33
-------------------------------	----

**AGENTS.**

The peculiar kind of labor for the Agent at the Penitentiary, . . . . .	38
Different character of the labors of the Agent at the County Prison, . . . . .	39
General admission of the benefits of these Agencies, . . . . .	40

---

**CHAPTER II.**

Constitutional Convention, . . . . .	41
Mr. Charles Chauncey's opinion of the former Constitution, . . . . .	41
Former changes render necessary present alteration, . . . . .	42

**PRIMARY JUDICIARY.**

Obligations of Aldermen, . . . . .	43
Alderman enlarging his business, . . . . .	43
Remedy for existing Aldermanic grievances, . . . . .	44
Police Magistrates, . . . . .	45

**PARDONS.**

The subject of Pardons occupy attention, . . . . .	45
The pardoning power properly in the hands of the Executive, . . . . .	46
An abuse of Executive power suggests alteration, . . . . .	45
Is there a necessity for change, . . . . .	47
What that change should be, . . . . .	48
Views of Mr. White, of Workhouse in Claremont, Pa., . . . . .	48
Consideration of those views, . . . . .	49

---

Cases in which promptness of pardon is required, . . .	50
Where the pardoning power could be placed, . . .	51
The Pardoning Council of New Jersey, . . .	52

### MEMORIAL

Of the Society to the Constitutional Convention, . . .	54
--	----

---

## CHAPTER III.

### LEGISLATIVE APPROPRIATION.

The necessity of means to aid discharged Convicts, . . .	56
Means at the command of the Society, . . .	57
How obtained, . . .	57
Importance of these funds to the Penitentiary, . . .	59
Sum granted by the State to this Society for the use of the Penitentiary, . . .	59
Rev. Charles F. Diver's duties, . . .	60
The importance of State appropriations for the discharged Convicts of both Penitentiaries, . . .	61

---

## CHAPTER VI.

### BOARD OF PUBLIC CHARITIES.

Origin of the movement, . . .	65
Labors and objects of the Commission, . . .	66
Benefits resulting for such Commission, . . .	67
England has a Department, . . .	67
In France the Minister of the Interior, . . .	69
In Germany there is to be a special Department, . . .	70
Value of one man to Society, . . .	71

---

## CHAPTER V.

### OF SYSTEMS.

Four systems, . . .	72
These systems considered particularly and comparatively, . . .	73
Administration superior to system, . . .	78

## CHAPTER VI.

## ENGLAND.

Treatment of Convicts, . . . . .	79
Shocking effects of cruelty at the Chatham Prison, . . . . .	80
Mr. Tallack's views, . . . . .	81

## PAUPER SYSTEM.

Number of various kinds of paupers in England, . . . . .	82
Number diminishing, . . . . .	83

## CHAPTER VII.

## ITALY.

Notice of Mr. Vaux's Report, . . . . .	84
Strictures upon the notice, . . . . .	85
The Italians engaged in regulating Prison affairs as a department of government, . . . . .	87

## UNIFICATION.

Wonderful arrangement of Prison matters in Italy, . . . . .	88
Perfect relations of all the offices, . . . . .	89
Italian view of the London Congress, . . . . .	91
Importance of properly considering the divisions, . . . . .	92

## USES OF A PENITENTIARY.

How they make them self-supporting, . . . . .	94
---	----

## CELLULAR AND CONGREGATE.

Views and practices of discipline, . . . . .	94
--	----

## CHAPTER VIII.

## MEMBERS.

Notice of the services of Mr. James Peters, . . . . .	97
Resolution with regard to his memory, . . . . .	99
Concluding remarks, . . . . .	100

## APPENDIX.

## MR. CHANDLER'S REPORT ON HIS MISSION TO EUROPE.

Character and general proceedings of the London Congress, .	3
Part of the work anticipated by Committees, . . . . .	8
Opening of the Congress, . . . . .	9
Penal labor, . . . . .	12
Corporal punishment, . . . . .	12
Ladies Members, . . . . .	14
Miss Carpenter, . . . . .	15
Visits to English Prisons, . . . . .	17
Newgate Prison, . . . . .	18
Cold-Bath-Fields, . . . . .	19
Tottingham Westminster Female Prison, . . . . .	23
Liverpool Borough Prison, . . . . .	27

## REFORMATORIES.

Liverpool Boys' Asylum, . . . . .	35
Ship Reformatories, . . . . .	41

## PARIS PRISONS.

The Roquette, . . . . .	42
La Santé, . . . . .	45
Action of Congress further presented, . . . . .	62
System, . . . . .	63
Separate System, . . . . .	64
Freedom of Visitation, . . . . .	73
Improvement of Prisons, . . . . .	76
Consideration of the character of religious instruction, . . . . .	79
Chatham Docks, . . . . .	81
Various Prison questions, . . . . .	83
Literature of the Congress, . . . . .	86
Results, . . . . .	87
General views of results, . . . . .	90
Rev. E. C. Wines, D.D., LL.D., . . . . .	91

## AN OBJECTION ANSWERED.

Motives and objects of Prison Societies, . . . . .	93
Conclusion, . . . . .	99



# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## REPORT.

---

### CHAPTER I.

---

THE close of another year brings with it the duty of accounting for the use of the employed time, and for the exercise of the responsibilities devolved. If wrong still exists in the path which is prescribed for service, for how much of that wrong are we accountable? If any good has been secured, how much commendation may we receive for the achievement? If we have failed to advance; to what do we owe the failure? If we have made progress in the good work, what has removed the impediment that once hindered our advance?

It is a wise and a wholesome thought to make it a duty to give periodical reports upon what has been done. That seems the best way to make known what has not been done. The sense of the duty of reporting, creates a sense of the importance of investigating—that there may be a knowledge of what has been done.

Where the whole round of duties seems in each year so like what was prescribed and done in a previous

year, it may be thought difficult to give interest to any report which may be so very much like its predecessors, save only in dates—and perhaps in a few names.

But the change of dates produces change of action, and as we reach the public mind and impress it favorably with our plans and motives of action, we find new duties, and consequently an enlarged responsibility.

In one view our Society has made little advance in the year now drawing to a close. We still seem dealing with some abstract questions of social science, and occupying ourselves at our meetings with reports upon some action of committees, and the entertainment of subjects propounded for investigation, or for recommendation to the authorities of the State.

In another view, the Society shows itself active in the consideration and development of principles that lie at the root of prison discipline; and, with what a great statesman has called a “masterly inactivity,” it awaits the action of the Commission of Public Charities, so that it may place itself in perfect accord with that body in establishing plans of prison discipline, which if new to the State authorities, have been considered in abstract by the Society.

---

### ACTING COMMITTEE.

The meetings of the Acting Committee have been regularly held during the year. The excessive heat drove from the city, in July and August, many of our

members, and the regular assembly felt the loss of their number and of their advice. But the return of cool weather insured the presence of our active members, and gives encouragement to those who look forward to additional benefits to result from our labors.

---

### INTERNATIONAL CONGRESS.

Early in the year the Society was invited to have itself represented in a Congress to be held in London, in July, at which it was hoped that nearly all Christendom would have a representation.

A knowledge of the wants of the world in the way of Prison administration, led this Society to believe that the International Congress would be productive of great good. And the Society seemed unwilling that the deliberations of such an assembly should be without the presentation of experience which nearly a hundred years of active existence had secured to it. Nor was the Society willing to be without the credit which might result from labors so profitable as it was hoped those of the Congress would prove.

So it was resolved that the Society should be represented in the London International Congress, and Joseph R. Chandler, one of the Vice Presidents, was elected a delegate, bearing with him the opinions and views of the Society, as well as the authority by which he was to represent those views.

The whole proceedings of that Congress, with the

papers presented by its members, abstracts of arguments upon questions at issue, will appear next Spring, in a large volume. Meantime the delegate from this Society, who had it in charge to visit various penal and reformatory institutions, in Great Britain\* and on the Continent, made report to the Society in October last, of his labors in the Congress, and his inspection of various institutions.

The Report of the Delegate was received, and for the information of the members five hundred copies were printed and circulated, and one thousand were printed to correspond with the Journal, and embodied in this number, under the title of "*An Appendix*," to which the readers are referred.

It will be seen by statements in this Appendix, that every part of Europe is awake to the importance of the great question of prison discipline—and, as connected with that, and preceding it in time, and exceeding it in importance, the plans and discipline of reformatories are considered, and the attempts at execution watched with great anxiety, and criticised with an earnestness that shows how much higher prevention is estimated than is cure.

It will be seen also that in England and on the Continent of Europe, the privileged classes seem to regard it as a privilege to be called to assist in such a work as prison improvement. Almost every branch of the English aristocracy was represented in the Congress; and reports of various institutions show how efficient is the zeal of the nobility in promoting the works of philanthropy.

One other thing was observable and most encouraging, not only were the nobility conspicuous in societies for promoting virtue and comfort among the vicious and the unfortunate, but they, and the wealthy of all classes, were profuse in their contributions to the funds necessary to the good work. Astonishment was expressed by many who had not before had an opportunity of judging of such matters, that such immense sums in the aggregate, and in many cases individually large, were so easily raised upon propositions for founding asylums, reformatories and other institutions to assist in making human beings better and happier, or saving them from the contagion of vice, before they had obtained the age and judgment necessary to preserve themselves from the danger of evil associations.

Countenance, patronage then, and money, are to be had in England, where there is an object that appeals, with apparent justice, for such contributions. And while the immense number of societies, refuges, schools and associations for good that reported to the London Congress for examination, shows how copiously money had been poured out for their establishment and maintenance, the Congress itself was a proof, a wonderful proof of the liberality excited for its proper support, which must have required a princely sum.

---

## END OF IMPRISONMENT.

By these references to the great liberality of the English of all grades, we do not mean to say that much liberality in the contribution of funds for the support of philanthropic institutions is not found in this country. We know it is, and all around us are evidences of the glorious use of money honorably acquired and generously contributed. There are certain claims upon the public, whose justice seems more apparent than others, because the benefits more readily strike the mind. It seems more appropriate to save from suffering the unfortunate than the guilty. All appear to feel that institutions that take the suddenly wounded or the helpless sick, are preferable to those that deal only with persons who have brought their discomforts upon themselves by vice and crime. And we should not like to argue against such a comparative appreciation. We thank God, indeed, that there is a spirit in our citizens which admits that the claims of the unfortunate virtuous are superior to those of the vicious. Long! long may the people of our city and State—the people of every city and State in the Union cherish such a love for virtue in the abstract, and such a detestation of vice and crime as will insure to the former encouragement and support, and provide for the latter hindrance and punishment.

But prisons may be made profitable to virtue; and, if so, then they are entitled to the consideration of

those who love and cherish virtue. If there is more joy in Heaven over one sinner that repenteth than there is over ninety and nine just persons who need no repentance, why may not that joy be attained on earth? We have certainly many who need repentance. Society mourns its deprivation of beauty and strength, enforced by the necessity of withdrawing from social intercourse many whose gifts and attainments might have made them public benefactors. They are not dead, they are not irretrievably lost, they are within the walls of a prison; and they are therefore within the reach of the efforts of philanthropy. They are where they can reflect, and therefore it may be hoped that reflection, the casting back of their minds upon themselves will make them comprehend the cause of their misery, while the gentle ministrations of the good will induce them to avoid evil associations, and to repent of and leave evil acts. Other places may serve for school-rooms for these lessons—but there seems no house like a prison for enforcing thought, and no lessons like those of the Prison Visitor for awakening to virtuous resolves. Then the ninety and nine just persons whose condition awakened no new rejoicing in Heaven may, of themselves, have a new delight when the hundredth, the wretch, who had wandered, returns; who had fallen, arises; who had sinned, repents.

Prisons, then, which are made for the guilty may be used to make those guilty innocent, and some who have refused the gentle lessons of domestic affections, who have sneered at virtue and followed vice, endured social ostracism, who have left the house of God

unappalled by the terrors of the law, unchanged by the persuasions of the Gospel, have felt that in prison there was no motive for deception and no outward support for bad pretensions, and they have become wiser and better men. They have left the cell with resolutions better than those that they formed when they left their homes, and have acknowledged that a false pride sustained them in wrong, while they were in the world, a pride which they could not summon to their support in the solitude of a prison.

The Apostles made many converts in prisons. We wish there was no crime to make a prison necessary. But, we thank God, that as prisons are used, they have been made places of improvement as well as detention—of repentance as well as punishment. And thus they have served an end which was scarcely contemplated when they were first constructed.

---

## ORGANIZATION IN MASSACHUSETTS.

We have less this year to report, as we have already said, not only of our action upon things outside the Society, but of the movement in other States. Massachusetts has so completed her system of penal and charitable responsibilities as to present almost a unit of all her various prisons and philanthropic institutions. No State in this country seems to equal the order which Massachusetts has established and maintained, and that admirable system of accountability and responsibility is



the means by which continued improvements are proposed, adopted, and carried out, From the State Prison at Charlestown (the only Penitentiary as we in Pennsylvania use that word) down to the smaller associations for assisting the helpless infant (if that association receive aid from the State) all are concatenated—one single chain of penal and charitable institutions—and, considering the existing and increasing number of those institutions, we should almost be excused if we called it “an endless chain.”

The organization of the public institutions of Massachusetts, under the Board of Public Charities, seems approaching perfection, in all the great ends to which we have referred. And care of the poor and the suffering, the helpless “whole orphan,” fatherless and motherless, the “half orphan,” with only one parent alive, and that one poor—the double orphan, with both father and mother alive and vicious—punishment to the vicious and the criminal—all appear to be wonderfully arranged—and if not at a less expense in the administration of all than elsewhere, at least with a constant appeal to the public for admiration and approval of the economy of the leading penal institutions.

When this system shall have attained the end towards which it seems approaching, we shall then look with earnestness, and we doubt not with entire satisfaction, for some little internal arrangement of the institution by which morals shall be made to outweigh money, and reformation be regarded as one great end of punishment.

## NEW YORK.

New York is in a state of transition. It is not advancing. To an ordinary observer it is receding. We think it is preparing to advance. The French have a proverb—“*reculez pour mieux sauter*”—that is “go back to jump better.”

If New York can sacrifice party politics to considerations of public benefit, that State will free her penal institutions from the dead, the killing weight of officers appointed with no regard to their fitness for the places they are to fill—only with regard to the places which they have helped others to occupy. And then, perhaps, she will have time to consider whether the reformation of a convict is not a better return to the Commonwealth for the cost of the Penitentiaries than a few dollars diminished in the expenses of his support and discipline.

There seems to be one prison in the State of New York (there may be more) where politics have not been allowed to influence the appointment of the principal officer. And that is called a successful—a model prison. We allude to the County Prison, at Albany, under General Pilsbury—a proof of the vast importance of able administration. The State Prisons in New York seem to languish in everything but occupants. There is no deficiency in the gross number of prisoners, but the amount of money made, or perhaps the amount

of expenses diminished, has been the test of success in too many of those institutions.

From reports received from various quarters we infer that the penal institutions of New York will soon be placed under a general regime, similar to those in Massachusetts. If, with this change in the general management of the institutions, there could be introduced a general system of prison order and discipline, careful separate confinement and individual dealing, all would be well.

---

### OTHER STATES.

We may soon have means to give particular statements of the situation and movements of prison affairs in many of our States. If so, we shall use them for some other part of the present Journal. Meantime we may remark that we have occasion to note that many States are inquiring what can be done to systematize the administration and accountability of their penal and charitable institutions. Such efforts are all in the right direction, and are likely to succeed, if not hindered or turned away by the desire to see how much money can be saved to the State, by the change to be wrought. That is the rock upon which the shipwreck of prison improvement is to be looked for, and the success of one or two institutions, and the erroneous boasts of some others, in the way of not only self-support, but of large profits, are stimulating certain persons to labor

in the direction of pecuniary profit, rather than moral improvement.

Great danger may be apprehended from attempts to place our penal institutions under the special influences of a single religious denomination, or to appoint their officers with the expectation of money making.

The habits of industry are not acquired by hard driving under the contract system of labor in a prison. And fear of God and love of man do not come from a constrained attendance on religious services that are in opposition to the creed and prejudices of the auditor.

The overworking of the prisoner makes him dislike labor.

Compulsory devotional services breed dislike to the worship, and are often productive of hypocrisy.

Freedom of religious opinion may and should be vouchsafed even in prison.

---

## PENNSYLVANIA.

The Commissioners of Public Charities for Pennsylvania are moving onward in the work which they have in hand. And we think they have *shown* wisdom which those who are acquainted with the members knew that they possessed, by such prudence in the adoption of plans, as has enabled them to make all their schemes work rather for general than for particular good.

The Commission of Massachusetts was, in regard to time, far in advance of Pennsylvania, and from that

cause was in advance of our Commission in the arrangement and progress of its work.

But the Commissioners of Pennsylvania had obstructions which did not impede the progress of those of Massachusetts.

Pennsylvania is, geographically, a large State, numerically it is a great State, and it has, be it said with all becoming deference, certain local peculiarities and attachments (we do not say hostilities) that have until lately hindered efforts towards union of purpose and action throughout the Commonwealth. With this may be cited, perhaps, as a cause, certainly as an agent, separate national origin and resulting habits. Railroads have opened up Pennsylvania to Pennsylvanians, and we are become more homogeneous. Against all these feelings the Commissioners of Public Charities in Pennsylvania have had to operate, we do not say contend, because the obstacle was not active.

Massachusetts, on the contrary, is one great Boston. A common origin, a common feeling, a common education, and a common *prejudice* pervades the State, from Cape Cod to Berkshire; and Boston is the centre. It is true that the introduction of manufactures into Massachusetts invited and brought thither a large and growing population of another nationality. But they came in such small numbers, though often, that they were readily taken up into the general circulation of the State system. And beside the home complacency of Massachusetts is so strong and active that it would neutralize, with little effervescence, a much larger body of foreign ingredients than has yet been received.

Massachusetts has been, and is, and is likely to be, long may she be, Massachusetts—with her system of schools, charitable and penal institutions, but with a growing modification of old idiosyncracies.

We feel it a duty to the Commissioners of State Charities in this Commonwealth to say, that while we approve of their plans, as far as we know; we know that they are effecting the penal and charitable institutions of every part of Pennsylvania, and, the circumstances of our people and of our institutions considered, the Commission has made all appropriate haste, and is now beginning to show the fruits of its judicious labor. "*Festina Lente*"—make haste slowly—is a capital motto.

In all these matters Pennsylvania will act with prudence, and those who act successfully for her must not get too far ahead of the people.

---

### PECULIAR DUTIES.

But there is an office of our Society that is peculiar to itself. This is a Society for alleviating the miseries of prisons, among other means, by direct action upon the condition of the prisoner. It was the sufferings of the prisoners in Philadelphia that called into exercise the gentle humane feelings of the charitable of our city. The great and the good of that time had not given much attention to a system which involved the administration of penal affairs in a State. They began by

alleviating the miseries, and ameliorating the condition of individual prisoners. And they did their work well. They saw in the city the offender against the laws driven forth into the street by officers, who chained them and taxed them, and exacted their sweat, as a punishment, and with a publicity that doubled the suffering, while it effectually excluded all idea of improvement. Probably no such idea ever entered the head of the law-makers or the law-administrators.

We cannot follow the progress of the alleviation then began. It is sufficient for the present to say that all the improvement in the condition of prisoners, and in the administration of our prisons, so marked and so obvious now, have resulted from that commencement, carried on in the true spirit of philanthropy. And we, its members, owe it to our position to see that the work is not hindered.

---

### DIVISION OF LABORS.

The home work of the Society is confided to the care of two committees. To one is given the Philadelphia County Prison ; to the other the Eastern Penitentiary, as fields for labor. And individuals of each committee are assigned to particular galleries and cells. Each individual reporting to his committee once a month, and each committee reporting monthly to the Acting Committee of the Society, and the Acting Committee reporting quarterly to the Society.

## COUNTY PRISON.

The visits to this prison are about 850 a year ; much the largest portion of them to the female side, where there are of all kinds of offenders only about one hundred inmates.

In addition to the visits of the member appointed to the Female Department—visits that *number about eleven a week*—in which most of the prisoners are seen several times each day, there are several ladies who come to the Prison every week and enter the cells, endeavoring to lead the prisoners to good resolves, and those endeavors have proved in many instances to have been successful. The religious denominational attachments of the prisoner are consulted by those visitors, and a proper delicacy exercised in presenting instruction.

We have to regret a want of additional numbers for visiting the male convicts, and the male prisoners generally. We know the good works done by the persistent labors of those who represent the Society in these visits, but their labors should be lightened, and their hopes increased, by additional co-workers. Let us hope that a field so promising of rich harvest will be fully supplied with laborers.

---

MR. MULLIN'S AGENCY.

Mr. Mullin, the efficient agent, continues his service in the channel in which he has so long moved ; deepening them by labors and extending his usefulness ; by



earning and deserving extended confidence. We shall not be able to give as full a statement of Mr. Mullen's usefulness as we could wish. From his monthly reports to the committee we extract a few cases that show the direction and success of his labors, though they fail to give any just idea of their amount.

#### EXTRACTS FROM MR. MULLEN'S REPORTS.

NUMBER 1—Was that of a woman who had been tried, convicted and sentenced, by Judge Allison, to an imprisonment of four months, upon the charge of being a common scold. She got herself into the difficulty by quarrelling with a neighbor about their children, who had been fighting. She contended that her neighbor's child was in fault, while the neighbor contended that the prisoner's child was in fault. Each of these disputants used their tongues very freely at the time of the quarrel, and this neighbor woman sued and succeeded in convicting the prisoner. She was taken to prison with her infant in her arms, and was separated from her four other children, who were left at home uncared for; one of whom was lying very low with the scarlet fever, and suffering for the want of a mother's care. The prisoner's husband was employed in the interior of this State, by the Pennsylvania Railroad Company, and was informed of the distressed condition of his family, and was sent for to see to his children. He begged of your Agent to intercede in behalf of his wife and family, and to inform the Court of their distressed condition. The Agent complied with the request, saw Judge Allison, and got him to instruct the Agent to see the Clerk of the Court, and have her brought from the prison to the Court again; at which time her sentence was reconsidered, and she was released from prison and permitted to return to her home and take charge of her afflicted family. This was done without costs, either to the prisoner or her husband, who was permitted to return to his employment in the interior of the State. He was truly grateful for the timely interference of the Agent, and Mr. Charles Mann, Solicitor for the Guardians of the

Poor, who assisted the Agent in effecting this poor woman's release. The prisoner sincerely repented of whatever she may have said or done that was offensive to her neighbor; wept freely, and received good advice from Judge Allison, who spoke feelingly to her of the condition of her family, and advised her to avoid getting into the difficulty again.

NUMBER 2—Was also the case of a woman and her baby. She was accused of the larceny of two rings from two different persons, neither of which was she guilty. The Agent, feeling satisfied that she was innocent of these charges, gave special attention to her case; and, upon an investigation, ascertained that it was one of great oppression. Her prosecutrix was a woman who kept a boarding house, and was in the habit of employing servants to do her work, for which services she would manage to avoid paying them. She would either quarrel with and discharge them, without paying them what she owed them, and let them sue her for the money, or do as she did in the case of this prisoner, who was her servant, accuse them of stealing something they did not steal, when she was asked to pay them for their services. This, the prosecutrix did in this case, by accusing the prisoner of stealing a ring, which she said belonged to her daughter; and, in order to give color to this statement, the prosecutrix said that the prisoner had previously stolen a ring from a colored woman, whose name she gave. When the colored woman was seen, she denied ever having suspected or accused the prisoner of taking a ring, or anything else from her. When the Agent supplied the prisoner with counsel, and had the case properly explained to a jury, she was honorably acquitted, and taken charge of by the Agent, who procured for her a railroad ticket to take her and her child to her friends in Pottsville, for which she expressed her grateful thanks.

NUMBER 3—Was that of a woman who had been wrongfully imprisoned upon the charge of keeping a disorderly house. She had been notified to appear at a certain time, at the Central Station, as a witness in a larceny case; and, with the hope of preventing her from testifying in behalf of the Commonwealth, this false charge was brought against her, upon which she was imprisoned.

The Agent interfered in her behalf, the magistrate was seen, and she was released in time to give her testimony in the larceny case.

NUMBER 4—Was an important case. It was that of a sailor who was a stranger in our city. He came here in a vessel, and received an honorable discharge and his pay, which he sent to his family, consisting of a wife and two children, who lived in Newark, N. J. He neglected to retain out of his earnings sufficient money for his immediate use, and had been careless about this, as he had engaged to sail on another vessel the next day, in which he expected to get advance money. In the meantime he became intoxicated, went into a restaurant and procured thirty cents worth of refreshments, for which he was unable to pay, and he was imprisoned upon the charge of constructive larceny. The Agent saw the prosecutor, got his consent to the release of the prisoner, and he was discharged by the Court, and an opportunity afforded him to ship again and labor for the support of his family.

NUMBER 5—Was the case of a German, of good character, whose occupation was that of a blacksmith. He was tried, convicted and sentenced, by Judge Peirce, to an imprisonment of one year, for the alleged larceny of five dollars (\$5). The Judge, not feeling satisfied with what had been testified against the prisoner, requested the Agent to thoroughly investigate the case, and ascertain the prisoner's previous character, and the character of the witness who testified against him. The investigation showed that he was an honest, industrious, hard-working man, and had a sick wife depending upon him for support. His employer believed him to be innocent, and was anxious to have him released from prison, and said he would give him employment again. The prisoner got into the difficulty by going into a restaurant, where he was persuaded to drink until he became intoxicated; at which time a woman, who was present, said that "he had robbed her of five dollars (\$5)." The persons who were present, and her neighbors, gave this woman a bad character, and said that "she was not worthy of belief, and they were sure she had no five dollars to be robbed of." The Agent ascertained, upon inquiry, that this woman's associates were low

characters. When the Agent made these facts known to Judge Peirce, he consented to have the sentence of the prisoner reconsidered, and to let him be released from prison. Mr. Kinike and Alderman Becker went to the residence of Judge Peirce, and received the order for the prisoner's final discharge, which saved him from a year's imprisonment.

NUMBER 6—Was that of a German accused of arson. The Agent supplied him with counsel and saw that his witnesses were brought into Court, when it was shown that the fire was the result of an accident, occasioned by his letting a coal oil lamp fall among some clothing, which set fire to the property. Having been ably defended by counsel, he was acquitted, but was held to bail in consequence of his intemperate habits. He had a family depending upon him for support. His trade was that of a shoemaker, and being an expert workman, he could make good wages if he would only keep sober.

NUMBER 7—Was the case of an intelligent young man who was respectably connected. He was passing through our city from New York to Baltimore, and stepped into a hat store to purchase a cap; and while he was in conversation with the boy in charge of the store in reference to the price of the article he wished to purchase, another person came in and stole two caps, valued at six dollars (\$6), and escaped with the property. The prisoner was at once suspected of being an accomplice of the thief, and was arrested and imprisoned. As he said he was innocent, and did not know the person who committed the theft, a telegram was at once sent to his father, in New York, who immediately came to this city with letters of recommendation as to character, from clergymen, Judges, Custom House officers, merchants and others, who certified to his good standing in society, as a christian man, and a prominent church official, and whose statement could be relied upon. The father stated that, "it was impossible for his son to be guilty of the charge he was accused of; that he had been carefully educated, and had a good character; that previous to his son's leaving New York he (the father) had given him fifty dollars (\$50), and sent him to

Baltimore to visit a relative ; and thought it could not be possible, in so short a time, he could have gotten into bad company, and been induced to be an accessory to the stealing of the caps. Deeply sympathising with this venerable father in his distressed condition and anxiety to have his son released, the Agent took charge of the case, and accompanied the father of the young man to the prosecutor, and to the Alderman, and saw that both of these parties united in recommending a *nolle prosequi*, which was cheerfully signed by them, at the request of the Agent : they being perfectly satisfied of the innocence of the young man. The prosecutor then accompanied the Agent, and the father of the prisoner, to the Court, when the case was fully explained to the satisfaction of Judge Peirce and District Attorney Mann, who both consented that a *nolle prosequi* should be entered. The prisoner was then honorably discharged by the Court, and taken by his father back to New York, all of which was accomplished within a few hours after the Agent had taken charge of the case.

NUMBER 8—Was the case of a man who was innocent of what he was accused of, which was that of being accessory to a case of homicide. The Agent supplied him with counsel, and had him brought up to Court on a writ of *habeas corpus*, and discharged. The principal in the case had been tried and convicted of manslaughter. The prisoner was arrested and imprisoned because he was near to the scene enacted which caused the death of a man, and was suspected of being connected with the case, but he had not participated in the affair, as was shown in Court.

NUMBER 9—Was that of a woman who was imprisoned by her drunken husband, because she had threatened to prosecute him for his ill treatment to her. To prevent her from doing this, he imprisoned her for threats. The Agent obtained her discharge from the Court, with the consent of Judge Peirce, who took the Agent for bail.

NUMBER 10—Was also the case of a woman imprisoned for

threats. She had a quarrel with a woman who lived in the same house with her, and who had her imprisoned upon the charge of threatening. As she was the mother of four small children, one of them a babe at the breast—which caused her to suffer for want of the infant to relieve her—and all of them needed a mother's care, the Agent obtained her discharge from the Court, with the consent of District Attorney Mann, who took the Agent for bail.

NUMBER 11—Was a case of great cruelty on the part of a drunken woman, who went into the house of her brother-in-law, at a time when his wife and child were lying very low with the small-pox. They were being kindly cared for by a Sister of Charity, who had benevolently offered her services to nurse them. The drunken woman assaulted and abused the Sister of Charity, and ordered her out of the house. When this much had been done, the husband interfered and put the drunken woman out of the house, at which time she fell upon the pavement and hurt herself. She then had this man taken from his home (where his services were so much required to see after his sick family) and imprisoned upon the charge of assault and battery. The Agent called on the prosecutor, at her residence, the next day, when she was sober, and informed her of the mischief she had done, and asked for the release of the prisoner. She seemed to be heartily ashamed of her improper conduct, and readily consented to the release of the prisoner, whose family she expressed great sympathy for. Her husband accompanied the Agent to the Alderman's office, paid the costs, and asked for the prisoner's release. He was at once discharged from prison, and returned to his home to take charge of his afflicted family.

NUMBER 12—Was that of a poor colored girl, who was committed to prison upon a sheriff's writ, charging her with trespass, which mainly consisted in her using abusive language toward another colored woman (an old jail-bird) who was the prisoner's prosecutor. This prosecutor had previously sued her before an Alderman, with a hope of getting satisfaction. The prisoner paid the costs and the case was settled. This was no sooner done than the prosecutor

employed counsel, and had the girl imprisoned upon a sheriff's writ, issued from the Supreme Court. After this had been done, the Agent went to the counsel employed by the prosecutor, and got his consent that the Agent should be taken for bail, and the prisoner discharged, with a promise from the counsel that the prisoner should not be further prosecuted. In this way the poor girl was released through the interference of the Agent; all of which was done without costs.

NUMBER 13—Was that of a boy about seventeen years of age, who had been tried and convicted upon the charge of the larceny of some cans of peas. At the request of Judge Allison, the Agent investigated the case after his conviction, which showed that the youth did not steal the articles for which he was convicted, but that they had been given to him by his employer (a disreputable character) to carry to his house. When the Agent informed Judge Allison of this fact, the Judge set aside the verdict, and instructed the Clerk of the Court to give the Agent a discharge for the boy, upon the condition that the Agent would take charge of him, and give him a ticket to New York, he being a stranger in this city. The request of the Judge was complied with by the Agent, who sent the boy to his parents in New York.

NUMBER 14—Was the case of a man who was a stranger in our city, and was committed to prison upon the charge of breach of the peace, by fighting. He had been knocked down in the street and robbed of seven dollars (\$7), and while he was endeavoring to defend himself against the robber, who escaped, he (himself) was arrested by an officer and imprisoned upon the above charge. The Agent went to the Alderman, explained his case, and had him at once released from prison.

NUMBER 15—Was that of a man who was committed to prison upon the charge of forgery. The Agent supplied him with counsel and had his case brought before the Court on a writ of *habeas corpus*. He was discharged upon the suggestion of District Attorney

Mann, who asked the Court to take the Agent for bail, as the prosecutor had declined to prosecute, and failed to appear when notified to do so. The prisoner was not guilty of the charge of forgery, as he could neither read nor write. There was a small amount of money due his cousin, whose name was precisely the same as that of the prisoner, and some one who knew all the facts in the case, forged the order and drew the money. As the prisoner's name was the same as the person to whom the money was due, the prosecutor suspected the prisoner of forging the order, which he could not do, because he could neither read nor write. The case, through this interference of the Agent, was abandoned by the Commonwealth, and the prisoner was released.

The number of persons released from prison through the interference of the Agent, within eleven months of the year 1872, was 2,279.

Amount saved in board, by the releasement of the above number of persons from prison, during eleven months of the year 1872, was \$12,884 40.

Amount saved from the ignoring of their cases, in the eleven months of 1872, was - - \$16,522 75  
 12,844 40

Total saving for eleven months, in 1872, \$29,367 15

### EASTERN PENITENTIARY.

The Committee of our Society for the Eastern Penitentiary, make reports of their labors that show zeal and perseverance. The Penitentiary is a much more agreeable field of labor than is found at the County Prison. The changes are much rarer, owing to the greater length of the sentences. And the duty of visit-



ing cells that contain only one prisoner each is incomparably more pleasant than attending cells where two or more persons give unpleasantness to the atmosphere, and where very little can be hoped from ministrations which, however acceptable to one of the tenants of the cell, are likely to cause the other to ridicule his decent companion out of the good resolves adopted by the efforts of the visitor.

---

### EXTRACTS FROM MR. DIVER'S REPORTS.

The Rev. Mr. Diver is still retained as the Agent of our Society in the Penitentiary, and we subjoin a few of his statements of labors:

PHILADELPHIA, December 16, 1872.

The Agent for the benefit of Discharged Prisoners at the Eastern State Penitentiary, respectfully submits what can be but a mere allusion to the varied duties in which his time, sympathies and energies are fully employed.

During the year now closing one hundred and eighty (180) prisoners have each one received the particular care needed, as those who were leaving the place of their confinement to again encounter the snares that beset them on every hand. Many of them have needed some suitable clothing, and, in some instances, an entire outfit from head to feet. Your Agent has made it an object, when the prisoner has near family connections in the city or near vicinity, to visit them, and where they are able to furnish the needed help, have secured their aid. In this particular work your Agent has had many blessings invoked upon him, and as expression of regard has been not only invited but pressed with great importunity, to partake of wine, brandy, or whiskey, and not choosing either, has been told then you surely will take a drink of "gin," as if the creature "gin" was harmless. In other cases the parents have shown a willingness to aid in devising for the future good of some wayward son. A

father has offered, and been willing to place any means necessary, in the hands of your Agent, to aid in the best way for his son, but it has been sadly true in some cases, all means have failed.

The cases this past year have been rare where prisoners have been so entirely destitute as to be wholly on the care of your Agent.

It has been an object to wake up the energies and spirit to help themselves, of those discharged and whose associations and family connections are in the city. This your Agent has found to be of great importance, for there is a class of mind so slow and sluggish, that the possessors are willing to be the recipients of other willing hands than their own, but in all cases we have endeavored to bring them up to a higher and better standard in industry and morals.

There are cases where some who were aided are pursuing a course of honorable employment—are still persevering. One case we designate as R. D., was entirely dependent on our aid—secured employment—paid back the money he had received, and is going on prosperously.

Another case we designate as R. F., in whom we took great interest, is restored to his wife and family. He, by the aid of his wife, who is indeed a help-meet for him, is doing a good business in a store that permits the energies of both.

Some whom we have aided, on account of various changes, get lost in the mass, but, now and then, in an unexpected way, we are rejoiced to recognize one and another honorably employed.

There is a large and important train of agencies connected with one particular sphere of your Agent's duties—that of arranging for, and in person getting away at once from the city, and putting them on the way to their families and homes, not only in our own State, but to distant parts of our country. Your Agent is now in correspondence in behalf of one whose family is in another State, and has relatives in office at the National Capitol. This particular aid is rendered to the early youth, and the old man, past his threescore years.

Instance the history of a week now passing. The writer addresses your Agent :

“

“WHEELING, West Va.

“Much Respected Friend—You will pardon me for delay, not feeling very well. Am happy now to inform you that I reached home safe and sound, found my dear wife and children all well, and I need not tell you the joy of my heart thus to find them, for which I truly thank my God. You will now accept of my renewed thanks, with my wife's highest regards for your Christian kindness toward me. With the blessing of God I will begin anew, both with respect to my present and future well being,” &c., &c.

This man's wife, though poor, had sent him twenty dollars, just before his discharge, which, with the ten dollars received from the State, your Agent went with him and procured a good and cheap outfit of clothing—found him a travelling bag, and other necessary articles—stuck by him in his wavering about going home—had him secure a cheap passage direct to his home, and, in a word, “*put him through!*” Another writes:

“————— Lycoming County, Pa.

(After addressing your Agent, he says:)

“I set myself to write to you, as I promised, and I do it with great joy, for I cannot pay you for your kindness to me. I got home on Monday evening, and, thank God, I found my wife and children very well, though very poor. I have found some friends that has not forgot me, and I hope by the help of the Lord, to gain my friends back by my good conduct. I have found some of my old whiskey friends, but I don't want such friends any more. I have been asked to take a drink of the old stuff, but I told them, in plain words, that I had been to “*school*,” and my schoolmaster had learned me better. Mr. Diver, pray for me, that God may bless me, and keep me out of bad company. The times are very poor, and I am poor, but, thank God, the Rev. Dr. P. will help me up a little, until I can get work, &c., &c., &c.

“M. P. P.”

Of this case your Agent is very much encouraged, he is a bright, intelligent man, and one whom we think not merely *reformed* but

*savingly converted* to God. We hope to hear good news of him in time to come.

We had the pleasure of receiving a great many warm expressions of thankfulness from an old man near his three score and ten years. His time expired on Sabbath last, waited until Monday. Your Agent supplied him with clothing, and had him very comfortably provided for, took him to the railroad depot and put him in charge of a conductor, who agreed to see him safe on. He goes up to near Elmira, New York; has spent the last ten years of his life in the Penitentiary, and well did he remark to your Agent, at the depot, "This seems like a new world to me."

It would seem almost incredible, except to one familiar with the facts, to know the dangers to which some are exposed on their discharge from prison, who have never been perhaps in this city before being brought here. In some way some convict belonging to this city, whose term has expired, is lying in wait for some youth whose time is to expire after his. Your Agent has had to encounter such, and his victim saved, and when hearing, after this, in a letter this youth saying, "I am home safe," and in closing his letter says, "I must hasten to a close, for there is a prayer meeting to-night in my father's house," he cannot but feel it has been a great thing to have seen after his getting safe on his way home. In some cases where no one has been lying in wait, a discharged prisoner has had in his possession specific directions where to come in the city. Such has been shown to your Agent, and he knows, from the locality described, that it is the way to death and hell.

Whilst the particular duties of caring for "Discharged Prisoners" is looked carefully after, we are thrown into acquaintance with some in all the varied stages of time, and in different ways, are enabled to minister to their good, so that the Society, through its Agent, is imparting influences for good every day. In all this it is operating for the good of those who ultimately reach the period of departure. Some there are whose terms of imprisonment will continue long after your Agent will have been consigned to the resting place of all living and his labors here have ceased.

The Agent cites an instance which is only one of the multiform

ways in which he may exert an influence for good and impart happiness to the sad and sorrowing. The case is that of a man from one of the counties in the Eastern District of Pennsylvania. His wife is a lady of education and refinement, teaching school at present in another State. She has not now for the three years past of his being in prison been able to visit him, hoping in the meanwhile for his pardon. With no friends in this city, when your Agent, was informed of her intentions, invited her to his own family. She thus writes.

“ \_\_\_\_\_, Dec. 187

“REV'D C. F. DIVER:

“Esteemed Sir—In reply to your very kind epistle of the 13th date, I would state, with Divine permission, I will leave here on Christmas day, by \_\_\_\_\_. After your kindness to write full directions, I can find my way \_\_\_\_\_. I am greatly indebted to you and your dear wife for the invitation extended, and if I am spared to reach the city safely I will gladly accept the same. May the Lord crown your labor of love and mercy in striving to heal the wounds of the broken hearted and fatherless. It will be a truly sad visit for me \_\_\_\_\_. I fear my dear husband has consumption. I thought I must see him during the holidays, if possible. Sad to meet, but sadder still to part under existing circumstances \_\_\_\_\_. Oh! pray for us, kind sir, that we may be supported under it.” \_\_\_\_\_

The five hundred copies each month of the year of “Everybody's Paper” have been received and regularly distributed. It is very much prized by most of the prisoners, and by some carefully preserved, so that they have complete numbers for the year.

## AGENTS.

As it is in the labors of Special Agents that our Society has distinguished itself, and accomplished so large an amount of good in the direction taken at its institution, we think it well to make particular notice of the character and amount of the work done in the name of the Society, or more properly in the name and cause of humanity.

The Rev. Charles Diver is the Agent for the Penitentiary, and is in constant understanding with those members of the Acting Committee (of which he also is one) that are assigned to duties at the Penitentiary.

Mr. Diver makes himself acquainted with each convict, and especially with those who are approaching the termination of their sentences. As a philanthropist, he has sought to make them comprehend their duties and abilities to improve; and, as a Christian Minister he has, where his services would be acceptable, dealt with the convict on spiritual subjects. He has acquired a knowledge of the man's social and domestic concerns, and is familiar with his capabilities for business of any kind, and his preference for the particular branch.

When the convict is to be released and when he has received from the Penitentiary the sum allowed to a discharged prisoner, Mr. Diver takes him in special charge. If the man is to stay in the city, work is procured for him, and for a time a kind of surveillance

that encourages good thought and action and rewards them also, is exercised. He is sustained and encouraged, and in every proper way aided.

If the convict has a family or friends out of the city with whom he may find a home, Mr. Diver conducts him to them and sees that he is provided for till he can provide for himself.

If the convict has a trade, or is equal to some other employment, and does not desire to remain in the city nor to return to former associates, Mr. Diver makes inquiry for a location and accompanies the departing prisoner to the place arranged for, and maintains a correspondence with him till he seems entirely settled and in a position to avoid the temptations that ever beset him, and to rise above them if they approach.

This, in all its details, is employment for all the time of the Agent, and is attended with expense as well as labor.

The expenses and how they are to be met are matters for grave consideration. Our hands have of late been much strengthened by a appropriation in our behalf by the Legislature. Upon that subject we shall speak at large in another part of the Journal, and we invite thereto the attention of our readers.

Mr. Wm. J. Mullen, the Agent of the Society for the County Prison, has a class of labor quite different and much varied from those of the Agent for the Penitentiary.

Mr. Mullen has to look out for the interests and comforts of all classes in the prison, and hence he has some labors quite similar to those of Mr. Diver.

Advising discharged convicts and aiding them to leave the city, or assisting them to find employment in the city. But his great work is with the untried prisoners, seeking to settle the difficulties that have led to their arrest. Healing breaches in families that have resulted in placing father or mother in prison; soothing asperities among kindred and neighbors; appearing as a friend and adviser to friendless prisoners, and presenting the case with newly found testimony or extenuating circumstances to the Court, and in a thousand ways, and by wonderful industry doing good to the suffering without injuring others.

Such an Agent is the great means of success in that direction, and the Society looks with satisfaction at the vast aggregate of good that has resulted from the faithful labors of its Agents.

It is a subject of self felicitation that the Agent for the County Prison, has, while in constant contact with the officers of the law and in intercourse with the Judges, maintained a character for propriety as well as zeal, and while meddling with the condition of offenders, has sustained himself in the good estimation of the Courts and of the community. Men who think lightly or think little of Mr. Mullen's labor till some circumstance brings them into a necessity of profiting thereby, confess at once the great usefulness of his office. The Society, which has long known and employed his abilities, feels how much the success of those labors depends upon the character, devotion and integrity of Mr. Mullen, who owes less to his office than his office owes to him.



## CHAPTER II.

---

### THE CONSTITUTIONAL CONVENTION.

The eye of the public is anxiously turned towards the Convention now sitting in this city, to amend the Constitution of the State, and from the character of the members and the wants of the people, both (character and wants) well pronounced, it is to be expected that much good will result. Supposing, as it seems to be admitted, that altering the Constitution will greatly affect the administration of the laws.

When the Convention met in Harrisburg to alter a former Constitution, and produced the one which it is now desired to have amended, Charles Chauncey, a great and pure lawyer, and a good man, said on the morning of the first meeting of that body :

“I have within a few days read with unusual closeness the Constitution of this State, and I profess myself astonished at the wisdom and foresight of the men who prepared that instrument. It appears to me as near perfection as any human production I ever read, and I am prepared to vote to leave it where it stands, an excellent and sufficient fundamental law. I am ready to vote, and, if necessary, to move that the Convention adjourn, and ask the people to be satisfied with what neither the people nor

“their representatives are likely to improve. And if “the instrument is once taken to pieces I do not hope “that the wisdom of the Convention will ever be able “to put it together again.”

Mr. Chauncey was of opinion that all the wrong imputed to the prohibitions or permissions of the Constitution could be corrected by simple legislation.

The Constitution was altered. Greatly altered. Especially was it changed in the chapter relating to the Judiciary. The tenure of the Judges was changed; and, it is said, that about forty members of that Convention, learned in the law, have had places since on the Bench. Some, we know, deserved the place, and retain it by their deserving.

The Constitution was changed, and partly on the ground that the circumstances of the people change in a quarter of a century; that a new organic law is necessary.

We stop not now to discuss that point. We have only to say that the argument having been considered valid in 1837, becomes almost imperative now. We think that Mr. Chauncey was pretty nearly right; but as, in consequence of the change which he deplored in advance, it is now thought necessary to make the Constitution take the place of statute law, it is probably right to see how the alteration of the Constitution may be made to take the place of some statutes, supply certain wants, and restrain certain excesses.

We believe that all that is needed could be accomplished by legislation. But since an appeal is made to the Constitution we purpose alluding to one or two

points which connect themselves with the objects and labors of the Society.

FIRST, then—as foremost in all consideration of public good :

### THE PRIMARY JUDICIARY.

At present in this city one Alderman is allowed to every ward, and another and another is authorized with the increase of population, so that some of these wards have, it is believed, three Aldermen. It would work no evil to the community though there were twenty ; provided, the possession of the office did not seem to imply official labors. But the laws of the State require an Alderman to have a room in which to hold a court, and that implies rent ; holding himself in readiness for any calls upon Aldermanic functions, implies an inability to prosecute other labor. And it is scarcely supposable that men who can sustain themselves and families without business of any kind will seek the office of Alderman. An Alderman seeks his office as a means of living. He is compelled to incur certain expense in addition to family support, and he must therefore look to his office. The law allows certain fees and costs for certain labors.

Now every business man seeks to enlarge his business. It is a legitimate exercise of his talents in a merchant or a mechanic, or an artist—to seek to augment his income by adding to his business. An Alderman takes his office for the profit which it may yield. Is it reasonable to suppose that he is not going to make the most of his position ? Is it not likely that he will hear

all cases that come to his bench ; and if officers bring before him offenders, or quarrelsome individuals bring their neighbors before him, is it not likely that he will hear the case and receive what the law allows as fees and costs ? Others do it. Why should not he ?

We do not say that it is right for an Alderman to encourage litigation or promote arrests for the sake of the fees and costs. But we do say that when he is compelled to incur the expense of room rent, and to devote his time to awaiting or acting on cases, and for all that the law allows no salary, it is not strange that he should compensate himself with the fees and costs which the law does allow. And, what is more, it is not very strange that he should be looking around to see how he may make the legal income of his Judiciary position pay as well as did his former more mechanical pursuit.

The Aldermen are condemned for doing too much. But they must work or they will get no pay.

The remedy is easy, and at hand. Let the Aldermen be appointed for their abilities to discharge the duties of their office, and not for their inability to discharge the duties of any other place. And let them receive an annual compensation, like the Judges of the Courts, and there will be very few complaints.

The Alderman should have a good salary, and not be allowed a single dollar a year as avails of office or fees or costs.

Of course we do not think it necessary that there should be so many Aldermen as we have ; not necessary, indeed, that there should be any Aldermen. We

want police magistrates, they may be thus denominated, or they may retain the name of Aldermen.

Some advocate another "Police Court or Session." We have tried that, and it did not work very well.

The County Court is quite competent to all the duties that it now assumes.

The powers of a Police Magistrate may be enlarged, but we ought not to multiply Courts.

This matter of the Aldermen or Police Magistrates has special concern for our city.

## PARDONS.

The subject of the pardoning power is now occupying the attention of citizens in almost every part of the State. Officers of this Society have received letters from gentlemen connected with the administration of prisons, and with societies that interest themselves with the subject of prison discipline, and the condition of discharged prisoners. All of them asking opinions or suggesting amendments to the Constitution affecting the pardoning power.

It is generally assumed that the pardoning power will be taken from the Executive of the State, or, at least, divided between him and some other functionaries. We do not know that such will be the case, but certainly public opinion, as expressed through the ordinary channels, seems to leave little doubt of some change; and hence it seems eminently proper for those who feel the importance of the power, and the necessity of judicial exercise thereof, to be prepared to ex-

press some views which will show the opinion of experienced men; and these may be entitled to attention at least, if not their adoption, by the Convention.

The Pardoning Power is by the present Constitution of the State placed, or rather retained, in the hands of the *Executive*. There it ought to be placed. The nature and character of the office of Governor of the Commonwealth seem to include the idea, and the experience of the world is in favor of such a disposition of the power.

But, unfortunately, an idea has obtained in many of the States that the pardoning power has been abused by the Executive, and the current of justice "turned awry" to satisfy personal feelings, repay personal obligations, or promote party objects; or, "worse than all, and most to be deplored," to gratify a cursed thirst for money.

For these causes, in many of the States, the pardoning power has been taken from the Executive, and divided among various parties, of which often the Executive is one.

To prevent such a disgrace, and to remove cause for imputation of such motives, it seems resolved that the Constitution shall be so modified that pardon for offenders, whether convicted or awaiting trial, shall no longer rest with the Governor.

We think that if the Governor of this State, and any of his predecessors, were of the Convention, and were to vote from a sense of the difficulties they had encountered in dispensing "Executive clemency," they

would certainly give their voice to the removal of that great and onerous responsibility from the Executive.

But the question is not of personal convenience. It is one of general interest, and it must be carefully considered :

FIRST—Is there a necessity for any change?

SECOND—What should that change be?

We have already said that the pardoning power is a prescriptive prerogative of the Executive; and under forms of Government different from ours no transfer of that power would be considered possible.

In a Government by the people such a transfer would be consistent with the theory of the Government, as it is now with the practice of many of our States; there can be no doubt that the people, by their representatives, specially authorized, may place the pardoning power in any body of citizens, or in any one citizen.

But a change so radical seems to need, if not argument, at least the benefit of explanation.

For a long time there has been an uneasiness in the public mind relative to the exercise of the pardoning power, which has been invoked for almost every kind of person, convicted of almost every kind of offence. And to take the matter in its lightest shade it would appear that in many cases the Executive of a State as large as Pennsylvania would not have available means to make himself acquainted with the circumstances of

all those convicts in whose behalf a pardon is solicited. Nor with the motives of those who press the demand for pardon ; nor the character, or interest in, or want of acquaintance with, the convict, of those who sign the petition.

Beside that argument another presents itself of still greater applicability, viz.: The pressure upon the time and care of the Governor which the consideration of these numerous petitions must cause, to the injury, perhaps, of business which concerns the good of the Commonwealth. This great pressure of the multiplied petitioners, it is said, has lead to the pardon of persons who had not a single claim upon Executive clemency ; while pardons have been withheld from well deserving prisoners ; so that the granting and the withholding of pardons have lead to imputations of motives injurious to the State, by weakening public confidence in the Executive.

Here then are some of the necessities, as it is thought, for a *change*. Others could be adduced.

The next consideration—"What should the change be ?"

If the pardoning power is taken from the Executive where should it be placed?

A visit was recently made to the Workhouse in Claremont, Allegheny county, Pennsylvania, by a large number of distinguished citizens, authorities of the county, and members elect of the Constitutional Convention. In the course of an exceedingly pertinent speech of welcome to the visitors, Mr. White, the Chairman of the Board of Managers, said :



"To the members present of the Constitutional Convention, we have to say, that the pardoning power of the Executive is the great evil of the day, although we are satisfied that our present Governor has exercised this prerogative as wisely and with as much care, and more carefully than others. The Managers believe, however, that the evil should be corrected. We believe that the only true course in reformation is to place the pardon in the hands of the prisoner, and for him to work it out, by the reformation of bad habits, sufficient evidence of moral improvement, and by being industrious, to learn a trade or occupation, that when discharged he may make a livelihood for himself and family. By such a course only is to be his reprieve, nor can he lessen the term of his sentence otherwise."

As this contains a distinct proposition on the subject which we are discussing, and as it is not the first time that we have seen it presented, we will give a few moments to a consideration of it, coming as it does from so respectable authority.

Undoubtedly it would be an excellent thing to have the convict "work out his own release." And so, in some degree, he does, under the Commutation Act, though not, we admit, to the extent which Mr. White proposes. But the pardoning power is not placed in the Governor's hands, nor in any other hands, merely to release a prisoner because his friends wish him pardoned, nor even because he has served long enough. Other motives are sometimes pleaded by applicants, and assigned by the Executive; and those motives

could not be pleaded nor assigned if the plan of Mr. White\* should be adopted.

When the sentence follows a conviction, upon positive proof, and there is no "after discovered testimony," and nothing is presented to shake confidence in the justice of the verdict, and the correctness of the sentence, then a man might be made to work out his release by good conduct, attention to work, and to the general requirements of the prison. And no necessity would exist for a pardoning power. But suppose a man, arrested upon a charge, brought before Court and tried, pronounced guilty, and sentenced to three years imprisonment; and, at the end of two months the prosecutor himself should become satisfied that he had been deceived, and that the prisoner was entirely innocent, and he should proclaim his new conviction. What is to be done with such a man? There is (according to Mr. White's plan) lodged in no man, nor body of men, the power to grant to him a pardon; so he must tarry in prison, and "work out" his release. He does not want a trade, perhaps he has a good trade, and only needs liberty to exercise it; he does not need reformation; he never was *bad*; he did not commit the crime for which he is in prison, and had no intention of doing it.

Is there to be no power to release that man?

It will not do to say that "this is an extreme case;" it *may* arise, and therefore should be provided against.

---

\* Mr. White will excuse us for using his name—we find it in the published proceedings of a meeting, and the subject is so important as to justify *personal* reference.

IT DID ARISE—and as a pardoning power existed the correction was made by the exercise of Executive *justice*.

The writer of this paper has been so situated as to see the terrible danger of dispensing entirely with the pardoning power, as he has been able by his situation to note some of the evil of injudicious pardons; and to know fully the immense good that has resulted from a timely judicious response to proper applications for pardons.

The pardoning power must be perpetuated somewhere.

We have expressed our opinion that the pardoning power is properly a prerogative of the Executive, and some who have an opinion that it should remain there say that the abuse of that power does not justify a removal of it.

We have suffered what is called an abuse of Aldermanic power to lead us to recommend a transfer of that power. We might add that the necessity for a change in the Police Magistracy of our city is one that arises out of a new condition of the city. We have outgrown the proportions that were satisfied with the old race of Aldermen appointed as an honorary distinction for social and civic worth, and generally for business success. We therefore are not disposed to be inattentive to the force of the argument resting on flagrant abuse.

But if there must be a pardoning power, and the people (the source of all power) decide that it shall not be exercised entirely by the Executive, who shall

supply the place of the Governor, or who shall assist him in his place?

In the State of New Jersey there exists a Pardoning Council, composed of several officers in connection with the Governor, we think, and that mode is said to work well. And the New Jersey method is strongly urged by many persons in this city.

We are not about to advocate or to oppose the New Jersey system—we are not, indeed, about to propose any plan; but there are certain points which we should think ought to be avoided.

The appointment of a Board or Commission, as in New Jersey, to act on applications for pardon supposes, of course, a selection, and the members will naturally be taken from different parts of the State, and if the meetings of that Board are to be sufficiently frequent to meet the requirements of the cases, the members must encounter both cost and inconvenience.

If the meetings of the Board should not be frequent in consequence of the cost and inconvenience which the members would have to incur, that infrequency would greatly hinder the usefulness of the Board. If the cost of attendance should be drawn from the funds of the State, then the expense of the Commission would be a strong objection to its establishment or continuance.

In New Jersey, where this kind of Commission is popular, the geographical limits of the State allow of frequent meetings of the members.

Some of the State officers might be made *ex-officio*

members of the Board of Pardons, and probably would be.

There should be certain prerequisites to a pardon. Every application should be attended by evidence that the public had been notified of the intention to solicit the pardon; the opinion of some of those who tried the case, and, if the convict had been for three months in prison, then the opinion of the Board of Inspectors should be obtained.

Proceeding upon the grounds that there must be a Board of Pardons, we have suggested that it must be so composed as to render easy, regular and frequent meetings. That Board would, of course, adopt rules that would hedge about the measure with all possible securities, and when those prerequisites are decided on, there should be no clemency on a single point.

If a Commission is to be appointed, it should be so composed that its members could be easily assembled. The necessities for a pardon have often as close a relation to *time* as to the act and person. *Bis dat qui cito dat.*

This article is not written to express an opinion upon the question of pardon at issue, but rather to show that there are difficulties in the path. This Society has expressed its views of the necessity of some change of the depositary of the pardoning power, and that change must almost of necessity require a "Board" or Council. How that shall be composed we have suggested rather negatively than positively. But prudence and experience must dictate.

## MEMORIAL.

The Society, at an extra meeting in December, received from a special committee a report of a Memorial to the Constitutional Convention, which was unanimously adopted, with instructions that it be signed by the officers of the Society and transmitted to the Convention.

*To the Convention elected to Propose Amendments to the Constitution of Pennsylvania :*

The Memorial of the Philadelphia Society for Alleviating the Miseries of Public Prisons, respectfully sheweth :

That the attention of the Society has been called to the subject of the pardoning power as exercised in Pennsylvania, and the conclusion to which the Society has arrived is, that being vested in the Executive alone, it is vested in the worst possible manner, the responsibility thrown upon the Executive being burdensome to him, and frequently exposing him to unjust suspicions, and that the secrecy of the motive for granting pardons is bad for the criminal and injurious to the public morals.

That, having reached this point, the Society undertook to ascertain upon what systems the pardoning power was exercised in several of our sister States, and that having received this information, they prefer

the system practised in New Jersey to those in use in the other States from which they have heard.

The State of New Jersey vests the pardoning power in a Board composed of the Governor, the Chancellor and the Judges of the Supreme Court, a Board which affects no secrecy as to its transactions, but keeps minutes of its proceedings.

The Society would, therefore, recommend to the Convention to follow this pattern as closely as may be, by constituting the Governor of the State and the Judges of the Supreme Court a Board to whom, and to whom alone, the pardoning power shall be entrusted.

## CHAPTER III.

---

### LEGISLATIVE APPROPRIATION.

“The Society for Alleviating the Miseries of Public Prisons” has expended considerable sums of money in assisting convicts who have served out their terms or sentences, and have satisfied the Agents and Committee of the Society that they intend to redeem the time which they have lost, by devoting themselves to industry and propriety. Such persons need encouragement, they need the watchful, friendly care of those who have seen them struggling to conquer bad habits and a selfish pride. They need more—they greatly need a helping hand—and for that hand to be helping it must not be empty. It is not enough to say “Be ye warmed and be ye clothed.” But heat and clothing must be at first supplied—some standing point must be furnished, that the object of solicitude may make a hopeful effort. He has powers within him but they were perverted by vice, and they have suffered by inaction in prison. They must be called up, and the first effort aided. The pump that stands even in a good depth of water is often found useless till more water is poured into it, to give efficacy to its boxes and valves—so the human faculties, which lose immediate efficacy from want of regular exercise, need some corresponding appliance to restore their usefulness to their possessor and to others.



In both objects of the comparison, it is the general as well as the individual interest that is served. The ex-convict is worse than the dried pump, because he may, and perhaps without aid must, become injurious to the community—the dried pump may be only worthless.

This Society has a very small fund, the annual interest of which is applicable to the wants of discharged prisoners. Such wants really exceed annually the whole amount of the principal and interest of that fund, and ex-convicts have been known to drift away from a partially established good position, from want of means necessary to the maintenance of that position. Private liberality has been taxed, but that is not sufficient at any time, nor is it always reliable. It is worthy of notice that most of the small fund which this Society possesses was derived from bequests of those who had been acting as members of the Committee of the Society in the prisons, endeavoring to induce the convicts to adopt good resolutions, and then assisting them to carry into effect those resolutions when they had served out their time.

These benefactors knew the wants of the convicts—knew the purity of the intentions of many of them, comprehended perfectly the difficulties and dangers that beset the released convict, and hence they felt it a beautiful disposition of their means to make them subservient to such a work of Christian benevolence. These sums are *bequests*—gifts made or confirmed near the close of life, when the faculties are exercised with plans of good to others, which are adopted with the consciousness of the awful responsibilities of the hour.

Men who had seen the value of prison ministration—men who had had large experience of the danger of leaving the discharged convict to himself and his former associates—men who had seen in their poor clients the evil of vice and crimes, and had encouraged and assisted efforts to avoid their repetition—such men closed their lives and entered eternity in the practice or approval of such a disposition of their honestly acquired means, as would assist the unfortunate to surmount misfortune, and aid the victim of early temptation, in efforts to rise above the enticements of vice. These sums are sacred to this Society not merely by the holy uses to which they are consecrated, but also and especially by the awful circumstances in which they were devoted. It seems as if such gifts of the dying are proofs to man of the intention in which they are made, and appeals to God as to the merit of the cause to which they are dedicated. But these small sums are wholly inadequate to the good purposes for which they are needed, and the Society is unable to meet the demands to which it is exposed.

Private assistance and a part of the small annual dues of the members enable the Society to do immense good at the "County Prison," where close personal attention on the part of its Committee, and great economy by its Agent, insure considerable help to discharged prisoners. And for these no appeal is now made. The city or the citizens must, for the present, aid the Society.

But there is a great interest at stake in the Eastern Penitentiary, in this city, in which are nearly a thousand

persons, from most of the eastern counties of Pennsylvania. What shall be done for them ?

Let us see what has been done, and how it has been done. For years and years the Committee men of this Society gave their time to the reformation of the convicts in that Penitentiary, and spent the small sums available from our poor treasury, to help the discharged convict. But month after month the ex-convict was seen starving back into the ranks of crime, repulsed by the good, and coaxed and encouraged by the bad. Many, indeed, were saved, but a much larger number returned to their wallowing in the mire of vice.

Two years ago the Legislature of this State made an appropriation of three thousand dollars, to assist the Society in its good work of aiding convicts from the Eastern Penitentiary.

Such a sum of money was an encouragement of rare influence. The Society at once made special arrangements for a judicious use of the fund. No generality was contemplated, but every dollar was to be particularly applied, and closely accounted for. No excess of liberality was to be sanctioned, and no one to be distinguished by any partiality in the use of means intended for all.

Measures were at once adopted to meet the liberal intentions of the Legislature in a manner that should show the advantage of the long experience which our Society has had, and the economy which its limited means had enforced upon it.

The Rev. Charles F. Diver, long one of the attentive devoted visitors to the Penitentiary, in the name of this

Society, was specially employed to carry out the intention of the donor of the fund. He was to be assisted by the advice and concurrent action of members of this Society who had long and intimate acquaintance with the work.

The Agent gave himself exclusively to the work of his appointment, made himself acquainted with every convict; ascertained his history. By frequent conversation, and the evidence of deep sympathy, he enabled himself to judge of the capabilities for good of each of his clients. And when the termination of the sentence of any one of them arrived, Mr. Diver was prepared with some offer of employment (for any one that needed it), and often he placed the discharged man at some decent and profitable employment, as soon as he had changed his convict suit for that of the busy world. Men have been taken or sent to places where an opening presented, and have at once entered upon work that ensured support to their re-collected family, and brought respectability to themselves.

Mr. Diver's relations with the discharged convicts do not close with their establishment. He hears from them in their resumed relations with society, and he rejoices with them in their success; and encourages them to the endurance of certain unavoidable evils, and the exercise of patience and perseverance in their good work.

Deeply! deeply interesting to every philanthropist, to every citizen of our State, must be the report of that Agent of our Society in the uses of the State appropriation.

But that appropriation was not renewed by the last Legislature, and the benefits must cease, unless a spirit of true benevolence and State pride should induce a further appropriation. The cities and counties will, of course, take care of their own institutions. The State has but two Penitentiaries, and the experience of both shows that their best work is scarcely completed without some means to aid the reformed convict in establishing his reformation.

Men may disagree about the exact amount of penalty to be inflicted by the Courts upon certain offenders; they may disagree as to the form and construction of Prisons and Penitentiaries; they may disagree widely as to the system upon which the penal institutions are to be conducted. But there can scarcely be a dissentient opinion upon a proposition that the punishment of the convict should lead to reformation; and, that being established, it follows, of course, that permanency is the true test of improvement.

We hope, then, that the Representatives of the people of this State will consider the solemn duty and the vast importance of liberal provision of means to assist the discharged convict in fulfilling his good resolutions.

And we feel confident that a little inquiry will satisfy any one that money appropriated to the aid of discharged prisoners, applied as this Society applied the recent appropriation, will be among the most beneficial of all legislative appropriations.

We do not speak of legislative grants to aid the Society in its work of Penitentiary reform. We refer

to it as a legitimate action for the Representatives of the people, looking to the good of the public institution.

Money has been, and we hope will continue to be, appropriated by the Legislature to assist various Charitable Institutions—those for the Insane, the Blind, and the Reformatories of various kinds. And in these donations the General Assembly of the Commonwealth show a parental care for the people to aid and assist efforts to prevent evil, moral and physical, and to do good. We do not agree with those who think and say, or say without thinking, that the Convention should so model the new Constitution as to prevent the Legislature from dispensing money in any such direction. We think that the State Government should seek to do the greatest good to the greatest number.

But even if such a view, as we dissent from above, should prevail, and the prohibition mentioned be generally approved, it ought not to affect the appropriation which we solicit, to enable this Society to accomplish, to finish up, the work of reformation begun in the Penitentiaries of the State. The resolve to do good is most gratifying, but the accomplishment of that resolve by the discharged prisoner is what concerns society.

The Penitentiary is not a private institution. It is not a place established by individual or social charity, or any combination of religious bodies. It is a State institution. It is established and maintained by the State for the punishment of criminals, and for their reformation. The work, then, of securing that reformation

is a legitimate branch of the duties of the power that provided for the institution.

If any should say that an appropriation for the purpose of aiding discharged convicts in the way which has been done by this Society in the use of the funds a few years since appropriated, would be aid to a private charity—we answer, that it is no more a private aid than is the salary to the “Moral Instructor” of the Penitentiary.

It is, indeed, making that salary profitable to the State ; giving permanent efficacy to all his labors ; and, let us add, giving true and permanent efficacy to the labors of all the moral instructors who voluntarily visit the prisoners and seek to reform them, and make them useful citizens. For it will be understood that while entire satisfaction is felt with the tone, temper, and liberal instruction of the Moral Instructor of the Eastern Penitentiary, there is work for numerous visitors to the cells of the convicts ; and those visitors make themselves more useful to some of their clients, owing to close affinity of creed and other circumstances, than the Moral Instructor can hope to be, devoted and useful as he is.

These visitors are additional moral instructors, whose voluntary labor has no other compensation than that which results from a sense of duty discharged, and a proof that their efforts to improve the convict have been successful. To second their efforts then, to assist to perpetuate the good result of the labor of these men, and of the Moral Instructor, seems to us as good a

disposition of the public funds as the payment of any officer to detain the prisoners.

We respectfully present these views, and hope that the Legislature of the State will enable the Penitentiary to complete that good work by allowing means to assist the discharged convict.



## CHAPTER IV.

---

### COMMISSION OF STATE CHARITIES.

Having in view the admirable system of penal and charitable responsibility which has been established in Massachusetts, and the total want of any organization in Pennsylvania which would ensure responsibility and enforce a general and harmonious order in the administration of Prisons and Charitable Institutions aided by the State, this Society some years since established a sort of mission by which inquiry into the character and management of the Prisons and Almshouses of the present Counties of Pennsylvania were made and answers obtained, giving much exact information touching certain of them, and showing that the less that was known of some others the more limited would be the discredit which their management reflected.

Our readers will probably remember that Mr. Jeremiah Willett and the late Mr. Philip Physic Randolph were engaged in that good work, and that a proper use of the information which they furnished enabled this Society to lay before the Legislature of this State the strongest argument in favor of "A Commission" that should have charge of a subject so important to all as the Penal and Charitable Institutions of the State.

In due time the Legislature, moved by the Governor, took the matter in hand, and authorized the establishment of a Commission which should have the general supervision of all the Penal Institutions in the State, the Penitentiaries, and the County Prisons, and also of all the Charitable or Philanthropic Institutions that received aid from the Commonwealth.

This Commission is advancing in usefulness, and in the estimation of the people ; and an act of Assembly commands all these Penal and Charitable Establishments to place themselves in direct communication with the Commission, and to make their reports to it instead of to the Legislature. Quarterly accounts are now required, and the number of points upon which direct information is demanded has been greatly augmented.

It will be seen that the intention of the Commission is to use their power to obtain the greatest amount of real information as to the administration of the affairs of our Prisons and other institutions included in their care, and to make that information subservient to the work of improving those that fall behind, by the reports of those who come up to the highest requirements.

The Commission, of course, means to use the power delegated to it, of demanding reports from Prisons to the Commission rather than to the Legislature, as a general improvement of all the institutions reporting, and placing all under one special rule, as they will be under one system of responsibility.

The danger of this forced conformity may be apprehended in an interference with personal efforts in

Prisons more favorably situated for voluntary moral and religious aid. But that danger is not so great as some have thought. Take the character of any denomination that has the strictest and most thorough plan of discipline, and while all, perhaps, come up to the full requirements of the letter of the rule, some evince a spirit far in advance of others, and exceed others in proportion, as there is operative in them a personal desire to promote the great object of the religious combination.

So in Prisons, in States where the Legislature has placed all the Penal Institutions under one general government, and made all accountable to one body or board, that seems to have prescribed the utmost exertions in each "direction," and provided apparently for all the wants, moral and religious, of the prisoners, there are found persons making a more profitable application of rules, and giving to general plans such a particular application as shall place it far, very far, in advance of all others in the good wrought among individual prisoners.

Rightly administered (and we see no reason to fear that the affairs committed to the hands of the Pennsylvania Commission of Public Charities will not be rightly administered), the authority of the Commission must produce immense good to the Penal Institutions of the State; and we hail with pleasure every advance which that body makes in the path which it has taken, and which it is opening and extending.

There is in the movement of the Commission a gratifying evidence of prudence. The great work and

the abundant fruits of which it is capable have not induced in that body any of that haste which would be dangerous to its usefulness. Ours is a large State, composed of communities of varied tastes and different predilections. Jealousy of the movement of reformers is rather a feature in the character of our people, and he who hopes to achieve any considerable good among them must consult not only the wants, but the weakness of the various portions.

Prudence, therefore, and caution are necessary to the success of the great work submitted to the Commission; and prudence and wisdom have been manifested in the plans of the Commission, who seem to have considered it important to prepare the people for a change, of which, indeed, many of them know nothing of the necessity, and therefore may be unwilling to sanction the means.

*Festina Lente* is an excellent motto in dealing with great changes in a large population. One half the failures of all attempts at improving the condition of society comes from a want of judgment in the preparation, and a want of caution in presenting the means. In all such movements, whether for public or individual benefit, the feelings, condition, and even the prejudices of the beneficiaries, must be consulted, and time must be allowed.

We regard it as a triumph of sound philanthropy that the State of Pennsylvania has placed its Penal and Charitable Establishments in special charge, and we have reason to believe that much of the good anticipated and promised, when the Legislature was

urged to this measure, will be realized. Meantime "the Commission of State Charities" has labor in view, and will find that beside all the taxes which it has to consider when it proposes aid to institutions, it has to contemplate a tax upon its patience that will be onerous.

We have stated that the example of Massachusetts, with regard to the responsibility and direction of Penal and Charitable Institutions, has been followed in this State as far as the creation of a Board of State Charities. That Board in this State will, of course, be compelled to accommodate the administration of their authority to the circumstances of the people of Pennsylvania.

Abroad, changes are going on. In Great Britain the direction of the Prisons is left in the hands of the Secretary of Home Affairs, and hence there is an absence of special consideration, which is one of the great advantages of having a special department. There is not, it would seem, any notable negligence in doing what is prescribed, but there may be an absence of efforts to advance the work, and by procuring new prescriptions.

In France the Minister of the Interior is charged with the general care of the Prisons, and the *Prefets* of the several political divisions of the nation have immediate care in their own locality.

In Germany the whole question of Prisons has been necessarily most ably discussed, and the consideration of the subject of a separate department occupied the Parliament in a long debate, in which many of the

Deputies took an active part, and their speeches showed that they had studied the subject on which they were speaking, and comprehended the want and the cost.

We translate the closing paragraph of the report of proceedings in the German Parliament on this particular branch of the subject :

“When the discussion was closed the President “put to vote the question of the order of the day, “which was, ‘The Chamber invited the Government of “the King to institute a General Direction, single and “independent, for all the Prisons.’ ”

The proposition was carried by a large majority !

So it is seen that the subject of Prison management is every where gaining consideration, and its importance is recognized in the establishment of independent departments for the proper management of Prisons and Charities.

Of course we cannot in this country have a “National Department” that shall have the direction of the general business of Prisons, and receive all returns from each Penal and Charitable Institution. The Federal character of our Union renders that impossible ; but every State may have the advantage of such a branch of government, and by giving a new importance to such subjects secure a closer administration of the affairs of each Prison to the benefit of the convicts, and through them to the benefit of society.

Men ordinarily consult the value of a single dollar as a means of augmenting their general wealth. How few think of the value of a single individual to society.

"A dollar gone," said the close calculator as he discovered a misapplication of that small sum, "a dollar gone—and interest forever."

Yet society sees, day by day, abstracted from its ranks an individual capable of immense good if his powers were rightly directed. He is thrust into prison and left to reflect upon what he has lost, and knowing that there are some redeeming circumstances even in the very crime for which he suffers, he nourishes vengeance against those who have deprived him of the benefit of those circumstances, and lacking the countenance and the consolation and the encouragement of others, he sinks down overwhelmed, less, perhaps, by a sense of his own misdeeds than by their consequence. Society sees this, it takes note for a little time that a man is lost, but it soon forgets the abstraction, and never says, "a man lost, with the loss of his great capabilities forever."

Let us hope that the movement in the form of a Commission of State Charities, which we have had so much pleasure in noticing in this State, because it is our State, and which we record with so much gratification in Germany, because the Germans are human beings, will be accelerated and extended, till philanthropy shall have done its perfect work as it regards Prisons.

## CHAPTER V.

---

### OF SYSTEMS.

A considerable portion of our Journal this year is occupied with discussions in reference to the systems of imprisonment that appeal through their advocates to public consideration, while those advocates seek to influence public discussion in their behalf, by a presentation of the benefits which the use of such systems have produced, or of which they are capable.

There seems to be four classes or systems in use.

FIRST. The old system, if that may be called a system, which is wholly unsystematic. This is chiefly in use in the interior of old States, and in certain parts of new States. It consists merely in a building, usually the worst looking in the county, and the most destitute of all appliances for the merest ordinary wants of human beings, with halls or yards for assembling of all ages, character and color, and both sexes, during the day, and cells for general occupation at night, *generally* with the separation of sex.

In these "Houses of pain" the guilty are placed, so that the time for which they are sentenced may be deducted from the general devotion of their lives to public mischief and crime. And that deduction is all that such imprisonment ensures; and even the



withholding the felon from public depredation so long is not always productive of the little good derivable from so many months imprisonment. No one expects any improvement in a prisoner from such discipline. The only good deducible from such imprisonment is the chance that the convict may not outlive his sentence. If he should survive it, he returns to Society whetted to new tricks of his art, or spurred on by bad passions to revenge himself upon Society for what such imprisonment has never led him to believe was the best sentence. The bad convict is not made better by bad imprisonment. There is no repentance induced. Release affords opportunity for improvement in crime. Death alone saves the community.

SECOND. A system practised much in this country, and in Europe; viz.: that of congregate by day, and separate confinement at night.

Here two or three advantages over the first system are found; indeed there ought to be and there *may* be more, for the first is immitigably bad.

The advantages of the second over the best kind of the first, is in the separation of prisoners by night. When opportunity for thought and reflection is secured what has been done in the past may be reviewed and repented of—what has been said in the immediate present in the day just closed, may be weighed and applied for improvement.

We will not now speak of the disgusting thought of several men of bad habits being shut up every night in a small cell—decency, propriety, all protest against it. Another advantage of this second system over the

first is that it is usually administered by persons in charge of the convict, and that labor is ensured. But the association by day usually effaces the record of those good resolves that the solitude of the night has suggested. Something also may be gained to the institution by the labor performed in the day time.

The THIRD system is that of *Separate Confinement*, by which is understood an entire separation of all convicts from all other convicts, from the moment they enter the outer door of the prison till they be discharged, and that separation in prison is to work, and it has gloriously worked out consequent separation when the time of the sentence is complete. Thought, reflection, resolve, come to the convict from this isolation, or rather this separation, from all other convicts; that thought, that reflection, that resolve, is encouraged and strengthened by those who daily visit his cell with official punctuality, or in loving regard for his future. He forms no bad acquaintances in the prison, and he strengthens a growing attachment to the good. This, with more amplification, is the Pennsylvania system.

The FOURTH system is what is called the mixed, or the Irish system, which, to a convict of five years, gives a severe total separation of one or two years to make the convict form good resolves; then allows another portion for associate labor in some large prison, and then, all things going well, he is permitted to go out to work, and, finally, he is sent forth with a "ticket," which, should he be recognized as an old offender, will serve to save him from arrest—something like the mark

set upon Cain—not to mark his innocence, only to certify to his inviolability.

The fourth system has many friends, and at one time was becoming so popular in Europe, even on the Continent, as to have advocates of a prompt adoption, especially, as it is stated in its favor, that its beneficial operation upon convicts may be noted by the diminished number of *recidives* (those who are recommitted).

Firmly fixed in our opinion as to the benefit of the third (the separate) system by recent opportunity, amply improved, of witnessing the operation of all of the systems mentioned, and especially by conversation with those who comprehend the capabilities of the various systems, we, nevertheless, are anxious that our readers should judge of the comparative merits of the second, third, and fourth systems. The first system has no merit, it is a beastly, cruel misuse of judicial power, most injudiciously applied.

The SECOND system, that of congregate labor by day and entire separation at night, derives all its benefit as a system from the night separation; the congregate part, the day labor, is like that of the first system. It has no chance of doing good beyond what the first has. It is then the *separate* part of the system that gives it a claim to approval as tending to improve the convict.

The THIRD system, (the separate), is the standard by which we are judging of the others.

The FOURTH system, the mixed or Irish system, commences with entire separation, quite too severely applied, but still used as the true and only means of

initiation ; that, indeed, upon which the whole system turns. Its next stage is associated labor ; that is to say, it is believed that so salutary is the separate system that one-quarter or one-half the time of the whole sentence spent therein, will fit the convict for *association* with the bad—it will operate as a disinfectant. The rest of the system is all increasingly *associate*. Let us look to the effect claimed as the advantage resulting from the mixed system and the “ticket-of-leave” liberation.

*The non return of the released convicts.* That certainly looks well. We need not say that if such a naked fact could be asserted of the penitentiaries of this country, it would constitute an argument in favor of the system and the administration. Excepting, perhaps, in Delaware. Why do not these “ticket-of-leave” convicts return? Are they reformed? Are they taken up into the wholesome circulation of Society? Are their crimes and convictions forgiven and forgotten? Those reformed convicts are the depredators upon the careless, confiding, people of *our* country. They are not found in Ireland, where the police know and watch them, they are disturbing our community and crowding our prisons and penitentiaries.

The fourth system seems to have no merit that it does not derive from us, and while it frees Ireland from the felons who live there or go thither, it, in the same degree, adds to the criminal population of the United States.

The second system has the advantage over the first by keeping the convicts separate at night. A great

advantage certainly, but then if night separation works so much good, if the danger from evil association is diminished in some considerable degree by keeping the convicts separate one-half the time, how much more will that danger be diminished by keeping them *all* the time apart.

We hear this partial separation lauded as greatly promotive of moral safety. If we hear that a person is afflicted with a severe, a contagious disease, we think it best to confine all intercourse with him to those who, of necessity, have the care of him, and no one thinks that he or others will be improved by association. All that the first named system, that of congregate imprisonment, can admit of good must be drawn from some partial use of the third, the separate system.

All that the second system has specially good is what it owes to the third system from *separate* confinement at night.

All that the fourth, the mixed system, has as a system it derives from what it borrows in its commencement from the third, the separate system.

Yet any one of these systems may be made useful by careful administration. Any one but the first may be made more beneficial than any other by close adherence to rules and constant individual consideration.

We have said that we believe in and advocate the "Pennsylvania System," because that system frees the convict from bad association and brings him into daily communication with those who seek his good.

We labor then in that system, and we desire its

establishment throughout the country, and especially throughout this State.

But we repeat the remark which in former years we have made: That whatever may be the system, or whatever may be its administration, we labor on; if we cannot improve many by improving the system, we will try at least to improve some. The better the system the less difficulty in working out the good of many prisoners. The worse the system the more necessity for working for the good of those whom we can reach.

## CHAPTER VI.

---

### ENGLAND.

#### TREATMENT OF CONVICTS.

We have not received our customary files of Prison and Charity Reports from England (this year), of the condition, administration, and statistics of penal houses, and we should have been without any official information on such subjects were it not for the kindness of a friend in London, who has, in transmitting to us a copy of a paper of that city containing an admirable contribution from his own pen, put us in possession of some statistics relative to pauperism in England that are not without interest on this side the water.

Mr. William Tallack, known in England and this country as an earnest advocate for improvement in the administration of penal institutions, has furnished the *London Globe* with a carefully prepared article on convict life in England, in which he illustrates by results the effect of congregate labor as practised in penal establishments in England upon the minds and bodies of the convicts. The paper is founded on the official reports of the English convict prisons for 1872.

Among the penal institutions of England is mentioned with special emphasis for its terrible effects upon

the convicts, the "Chatham Dock" establishment, which is referred to in the "Appendix" of this year's Journal. The surgeon's report of that "out of door" prison, states that of one thousand six hundred and ninety-two convicts, one thousand seven hundred and twenty-five have been admitted to the hospital in the course of the year—more than one hundred per cent. And many of that number have suffered from abscesses, and that evil has increased in one year from one hundred and fifty-three to two hundred and seventy, and ulcers from ninety-eight to two hundred and forty-seven.

But this is not the worst part of it. Such is the cruel character of the work and the mode of enforcing it, that in order to save themselves from the exposure and physical injury of congregate labor, many of the prisoners have injured themselves so severely that they could not work. Seventeen (17) *purposely fractured their arms or legs*, and twenty-four (24) inflicted wounds on their bodies.

The surgeon, continuing his report, says: "Concussions from accident as well as wilful injuries have increased from three hundred and sixteen to four hundred and eighty-seven in the year (out of one thousand six hundred and ninety-two convicts). The self-injuries are usually inflicted by placing the left arm under the wheels of the wagons or engines, generally rendering amputation necessary. Some of the prisoners destroyed their lives.

At the Portsmouth Convict Prison the same kind of trouble exists. Men seek to avoid a protracted life of



wasting labors by resorting to a temporary suffering that will effectually separate them from those who must endure till a slower death arrives.

Mr. Tallack has the following judicious remark. After asking the aid of philanthropists and publicists to awaken the public mind to this terrible state of prison suffering, under the Congregate System, he adds :

“It is, however, not at all likely that the condition of convict prisons will be satisfactory, until systematic provision is permitted and secured for the regular visitation of their inmates by judicious and philanthropic persons. Large masses of prisoners cannot be properly cared for as to their morals in their inspection by a few individual chaplains, or the occasional visits of one or two directors.”

Mr. Tallack is a friend and advocate of the Pennsylvania system, but he is the friend and advocate of that administration, regular or voluntary, which will produce the most good to the prisoner.

---

### PAUPER SYSTEM.

The Commission of State Charities of Pennsylvania has under care the philanthropic as well as the penal institutions, and this Society, when it commissioned some of its number to inquire into the condition of the prisons of the State, directed them at the same time to make themselves acquainted with the administration of the almshouses, and the “poor laws” generally of the Commonwealth, expressing by this combination of

labors their views of the relations between pauperism and crime, but especially their feeling towards all who, from any cause, are deprived of the liberty of managing their own affairs, either by crime, sickness, insanity, or pauperism.

We therefore notice with interest a report of the proceedings of a "Conference of the Chairmen and Vice Chairmen of the Boards of Guardians of many cities and counties in England."

It is evident that the number of those who applied for aid, in-door and out-of-door, in the districts represented, was much smaller in 1872 than in 1871.

The statements of the speaker, derived from official reports, include all England.

In 1870 there were nine hundred and thirty-eight thousand paupers. In midsummer, 1871, there were nine hundred and twenty-four thousand, and in 1872, there were eight hundred and thirty-two thousand. Showing a decrease of ten per cent. in one year—and in midsummer, 1872, the number was eight hundred and two thousand. And in London, on the first of January, 1867, there were eighteen hundred and eighty-two vagrants, which in 1872 were reduced to eight hundred and twenty-eight.

Vagrancy in England seems to indicate a dependence upon public charity. The laws of England have been improved, but the Chairman of the meeting said it was not so much the improvement of the laws, as the improvement in the administration of those laws, that had produced the diminution in the number of vagrants who depended upon public aid.

The meeting seemed to be of opinion that one of the great evils in England was that of out-door relief. And it appeared that pauperism was promoted by the extensive out-of-door relief that had been prevalent in many parishes. It was said that there were more than four millions pounds sterling (\$20,000,000) a year spent in England in public out-door charity, chargeable to the tax income.

The difference in different parishes and counties between out-door and in-door relief compared was wonderful. In London, on the first of January, the proportion of out-door to in-door relief was as five to one; in Dover eight to one, while in Lancashire it was three to one. In many Unions it was one to one; in Llanelly it was thirty-one to one.

On the first of January, 1872, there were in England and Wales three hundred and sixty-seven thousand four hundred and one able-bodied, or families of able-bodied persons, out-door paupers, returned on account of inability to find work. There were fifty-one thousand five hundred and sixty-one children of adult males receiving out-door relief, and one hundred and fifty-four thousand seven hundred children of widows, and sixty thousand widows receiving out-door relief. An idea was adopted that the Guardians of the Poor should put into execution the law authorizing them to compel these children to receive education as well as alms relief. This is dealing with pauperism with a preventive power that must be felt in future criminal statistics, if the compulsory education include religion.

## CHAPTER VII.

---

### ITALY.

#### NOTICE OF MR. VAUX'S REPORT.

We have read with pleasure a part of a review of the Forty-second Report of the Eastern Penitentiary of this State, which is contained in the Fifth Number of the *REVISTA DE DISCIPLINE CARCERARIA*, now published at Rome, Italy. We regret that the Fourth Number, containing the beginning of this particular paper, has not reached us.

The editor, Signor Martino Bettrani-Scalia, justly imputes the authorship of the "Report" to Richard Vaux, whom he denominates "one of the most eminent expositors of prison discipline that the United States can boast."

A very full and fair abstract of that report is given, though the editor seems occasionally to be "staggered" by certain comparisons which Mr. Vaux makes between the statistics of the Eastern Penitentiary and those of some other State Prisons, and with a "confronting" of the official statistics, of a similar kind, from Charlestown, Massachusetts, with those of the Eastern Penitentiary of Pennsylvania, Signor Bettrani-Scalia, a little startled at results, says :

"We make no observation upon the exposition made by the Signor Vaux. The authority of his name is such as not to permit a doubt upon the data to which he refers, and we agree in the opinion which he expresses, that it is only when all the information and figures regarding the administration of the prisons shall have been presented and tabulated at a central office, that the Legislature shall know what the public good requires at its hand in regard to the administration of prisons."

Of course, in considering Mr. Vaux's report, the Italian editor is chiefly occupied with the idea of the "separate system," and he stumbles upon the statement of the fact (for the prison reports here are facts) that at one time there were six hundred and thirty-eight convicts in the Eastern Penitentiary and only five hundred and sixty cells, and he seems to be puzzled to know how a separate system could be tested by such an instance, and he copies an article, prepared by an advocate of the congregate system, which expresses a belief that no separate system can be regarded as existing where such a state is found, as more prisoners than cells.

It is evident that the author of the extract, as well as the Italian editor, neglects the fact that the coupling of prisoners in a few cells, under such circumstances as existed at the close of our late war, does not effect the system, it only interferes with the administration just so far as that doubling extends, and the argument for the value of the separate system is strengthened

by a comparison of those prisoners separately confined, with those who are placed two in one cell.

It is difficult for the editor in Rome to comprehend all the circumstances that influence prison administration in this country, and especially is he liable to great mistakes, sagacious, industrious, and candid as he is, from want of a comprehension of the effects of State powers and State prejudices, which influence all matters submitted to State Legislation.

While the Italian editor is presenting the statements of Mr. Vaux, relative to the superior working of the separate system in the Eastern Penitentiary as compared with the statement of some in other States, where the congregate system prevails, he is startled by the Report from the Western Penitentiary of Pennsylvania, which has been allowed to change its system from the separate to the congregate, and he thinks that the change suggests an argument against the separate or cellular system.

We have no time now to refer particularly to the matter; but the editor should have inquired whether there may not be a difference in the construction of cells in the two establishments; whether, as it is known that the separate system requires more individual ministration and closer relations with each prisoner, there may not have been some want of that care which is absolutely necessary to insure success. It is easier to govern and direct five hundred men in a mass, or in sections, than it is to do it individually, though not to the same advantage.

Special talents for government (we do not say

*superior*) are required for the cellular system that are not requisite in the congregate system. And where the moral improvement of the prisoner is a prime consideration, there must be a special administration, which is not quite necessary in a prison where money-making is the first idea and a self-supporting prison the second.

We are not now disposed to institute any comparison between two existing institutions. It appears to us that good administration is distinguishable in the two Penitentiaries of our State, and is superior to system, though administration may be more productive, as the system is better.

We think that any failure in the separate system is due to a want of administrative power in that direction, as we believe that the present eminent success of that system in the Eastern Penitentiary is partly due to the particular administration which that institution now has. But that administration could not be equally successful under a congregate, or mixed system.

The Italian is not yet an advocate of the separate system as a whole; but it is worthy of remark, that the details of that system appear to meet his approval. The *sole* separate system has little favor with him, from the argument that it keeps the convicts separate from the bad influence of each other, while the argument of a New York Commissioner against prison-shops is highly approved, because it shows the danger of allowing offenders to associate together!!!

When the Editor of the *Revista* shall have had and used an opportunity of visiting the Eastern Penitentiary in this city, some of his doubts will be removed. He

has no prejudice (in the ordinary sense of that word), but he is only emerging from the peculiar atmosphere of the Italian prison doctrine. He will see clearly before long. His mission now is, "prison arrangement for the "nation." That being settled, he will continue his great work, the consideration of individual improvement.

We regret that we have not space to admit of some considerable translation from the recent number of the *Revista*, a periodical which we place at the head of the list of such works. We know of none equal to it.

---

### UNIFICATION.

It is not alone the responsibility of all the prisons in a nation or State to one common head that constitutes unification of the penal institutions. In Italy, so complete is the arrangement, so entirely is all under one *regime*, that we find in the proceedings of the central authority records of the transfer of keepers of one prison to some similar position in another penal establishment at a considerable distance. For example: we find in the list of more than a hundred charges, in the month of September, for the Italian prisons, the following, which illustrates the character of the arrangement: "Guiseppe Franceschino, an under-keeper of the Second Class in the Prison of Salerno, "is transferred to the Prison of Palermo." Here is a Third Class keeper sent more than one hundred miles, and from the main land to an island.

"Marco Codibó, head warden of the First Class in the



Prison of Reggio Calabria, transferred to the Prison of Parma; this is from the south to the north of Italy, and all of the numerous changes show how completely Italy has been united. The above instances show how thoroughly the system of prison discipline operates in Italy with regard to the civil officers of the institutions. But another table exhibits the movements in the Sanitary and Religious parts of the administration. Thus, Doctor Cesari Barsarili, appointed to the Sanitary service in the Prisons of Pordenons.

John Baptist Marciangiole, appointed chaplain to the Penitentiary in Salmona.

Angelo Biamento, vice director of the Second Class in the Penal Colony of Gorgona, promoted to be a vice director of the First Class.

Augusto Colatanti, appointed a daily clerk in the Penitentiary of Civita Castellana.

The above citations show how completely the prison affairs are under command, and these notices of changes in appointments are as regular in Italy as are the notices of changes and appointments in the Army or Navy in this country.

Other movements of the authorities illustrate the mode of Prison Government. For example:

Pietro Bandisio, formerly a keeper in the Prison of Nuoro, was, on the 4th of September, condemned by the Court of Assizes of Nuoro, to ten years close confinement, on a conviction of aiding a convict to escape.

Gaetano Puxeddo, of the same prison, was convicted of neglect of duty and sentenced to three months imprisonment.

The records of the Director General of the Prisons of Italy contain a complete history of all that relates to the prisons, and all the transactions in the prisons of the Kingdom. Some of these statements are curious, and would be of special interest to prison directors and inspectors. The extracts given above were translated to show how minute, and we had almost said how *perfect*, is the prison system of Italy, in the way of government.

There seems to exist in the prison establishment of the Kingdom of Italy, a principle which has of late been introduced, at least in theory, into the management of the various departments of the United States Government, viz.: *The Civil Service Reform*.

By one of the articles of a Royal Decree, officers of prisons were to be promoted in grades, just as is done in the military service of this country, and for a short time that did pretty well, but it was found, with some experience, that a man who made an exceedingly serviceable officer of the Second Class, failed of success in a higher grade, and so he had to be superseded. The good of the institution being more to be consulted than the interest of an individual.

We notice that while a man is bound to do, to sustain the order of the prison, all that he can do, he is sometimes punished for not doing what he cannot do. Thus, for example, two men were dismissed from the service on conviction of *cowardice*.

These cases we are sure would be impertinently cited here if nothing more than the facts were considered; but those facts go to show how complete is the Prison

System in Italy. Not only is every movement, removal, and appointment of the *personel* of the prison government recorded in the central office, but each is published quarterly, and our extracts are from the printed report received from Rome.

---

### ITALIAN VIEW OF THE LONDON CONGRESS.

In the REVISTA DE DISCIPLINE CARCERARIA we find a statement, by the two delegates from that country, of what was said and done in the London Congress in July last.

The statement seems to be very clear and candid, not so long as that made by the representative of this Society, but more confined to the proceedings of the Congress. The Italian report says that the different sections of the Congress were occupied the last two days in presenting views upon the two systems of prison discipline which, at present, divide public opinion, viz.: that of continued separation, and the other, mixed and gradual, like that of Ireland.

The report continues: "In truth, a careful examination of the principles upon which the two systems are based, a close investigation of the results placed side by side, would have enabled the members to form a judgment upon their relative merits, and to have solved, in part, the problem; viz.: which of the two was entitled to the preference, and which would have the greatest number of competent partizans."

In our opinion, that would have depended upon the time when such a test would have been applied. On the first week of the Congress, Ireland would have outvoted Belgium by a great majority. At the time to which the writer alludes that majority would have been much diminished, and after a full exposition, which did not take place in the Congress, the Belgian (the Pennsylvania) System would have had a most decided majority.

Take from the discussion the element of immediate pecuniary profit, and give it a fair exposition of what is to be understood by the prisoners not returning to the Irish Penitentiaries, and Belgium would be almost unanimously supported.

The opinion upon the plan of the Congress, which the delegate from Philadelphia expresses in his report, constituting the Appendix of this Journal, and his appreciation of the future results of the action of the Congress, are in entire harmony with that of the Italian delegates. They notice the slight obstacle resulting from the advance arrangement, and the inconvenience following a neglect to confine the discussions to the question propounded, though those propositions might have been of a different kind. But they think, undoubtedly, that much consideration is due to the novelty of the experiment, and that many came, not only with well-formed opinions upon certain points, but also with well-formed speeches, which found utterance even when not entirely apposite to the question at issue,—“out of the abundance of the heart the mouth speaketh,”—and not always out of the requirements of the subject presented for consideration.

We have not seen the reports of any of the delegates of Germany, Belgium, Russia, France, &c., &c.

They will be interesting, as they will be authoritative.

---

### USES OF A PENITENTIARY.

Efforts are being made by those who take an interest in prison affairs in Italy, to have a penal colony established at some distance from the Peninsula, and the examples of other nations are cited, and the failures imputed to causes not likely to operate against the plans of Italy.

A correspondent of the "Revista," in an exceedingly well written article, gives an account of some of the English penal establishments, from which we translate a single paragraph, with a view to a remark:

"The Penitentiary for women contained from seven hundred to eight hundred convicts, and two hundred children under the direction of a respectable lady. One of the small courts of this Penitentiary was destined for nurses. These two hundred children belong to the female convicts, who had been put at liberty by 'tickets-of-leave,' and who had found situations in the neighboring city. They returned to the Penitentiary to give birth to children, and when they were delivered they went back to their places—only to return again for the same purpose. Who were the fathers of these children nobody knew or cared. The colony

“regarded these children as a means of increasing the “number of laborers.”

We have looked upon the Congregate System as a means of defeating wishes and efforts to improve the character of the convicts, but it seems that its capabilities have been so greatly enlarged, that the vice which it naturally perpetuates is made to augment the profits of the institution. The Penitentiary to which reference is made is evidently “a self-supporting establishment.”

---

### CELLULAR AND CONGREGATE.

In the answers which the Representatives of Italy gave to certain questions propounded for the Congress, it is stated that two-fifths of the prisons of Italy intimate that the Cellular System is preferable to any other, while three-fifths of the prisons lead some to believe that the Mixed, or Auburn System, with certain alterations, is preferred.

We notice, however, that a commission has been appointed to make an estimate of the cost of a new prison, to be constructed in Padua, for the Separate System. And as there are already two large prisons in Padua, conducted on the Collective or Congregate System, it is to be inferred that the Separate System is gaining favor.

The Commission that makes the inquiry recommends earnestly the adoption of their plan, “as securing to the inmates their moral rights—those of

“decency and health,” and the report to the “*Prefetti*” thus concludes: “You will, illustrious sir, cause your voice to be heard, to protect as much as possible the moral interests of a prisoner, which yields to no other in high civilization and in a desire of good.”

It should be observed by those who are using facts upon which to form opinions, especially with regard to a choice between the Separate and the Congregate Systems, that while it is stated that only two-fifths of the prisons of Italy are Cellular—the others being Congregate, in a greater or less degree—the old prisons are all Congregate, while the prisons newly constructed supply all the two-fifths above noted. The proportions will probably change before long, and the Cellular prisons be in a majority.

## CHAPTER VIII.

---

### MEMBERS.

Though each one of the members of our Society has been more exposed to death in the year that is past than he was in the preceding year—because each is one year nearer to the close of his labors—still we are not called upon to record the death of any unusual number. We miss from our Society the presence of an old and most faithful member, MR. JAMES PETERS, and we insert in the Journal a transcript of the proceedings of the Acting Committee with reference to his death.

A Stated Meeting of the Acting Committee was held on Third Month, twenty-first, 1872.

Vice President Jos. R. Chandler announced in feeling terms the death of our late member, James Peters, long a member of this Society, a member of the Acting Committee, and of the Committee on the Eastern Penitentiary.

Mr. Chandler referred to the unostentatious devotion of Mr. Peters to the work of prison charity, his persistent and useful labors in the cells, and his loving dealings with the inmates, by which they were made to understand that though their own misconduct had separated them from social intercourse, and deprived them of the dearest right of man, yet not those consequences of crimes, not



even the crimes themselves, whatever their enormity, separated these persons from the sympathies of the good, or deprived them of the ministration of consolation and monition to reformation of those who had time to devote to the improvement of their fellow-men, and had inclination to put that time to its highest and holiest uses.

Mr. Peters' selection of the field of labors showed that while he sought the glory of God, he sought it by means that were not likely to bring to him the enlarged praise of man.

The prison walls, that shut out the observation of the world, shut in from general observance, the servants of Christian Philanthropy, who comprehend that the lesson of reproof and of encouragement which they are to impart, would lose most of its efficacy if the listening object was made to feel the presence of less interested auditors.

And these homilies of love, of persuasion, are preached in the cell of the convict that produce fruits rarely gathered from more ambitious efforts in the presence of a numerous audience.

In the congregation of himself and the separated convict, Mr. Peters ministered with a zeal that would have done honor to a Paul, and often with an eloquence that would have added credit to Apollo—not that we know the exact words of the preacher, not that we can tell whether he exhorted in loud, commanding tones, or persuaded with gentle voice—we only know that the Christian philanthropist often entered the cell of the prisoner, and we have reason to believe that after these oft repeated visitations, prisoners have left their cells hopeful, promising, better men.

Extraordinary eloquence might have wrought this effect on more, but not more effectively on one.

It is a just cause for felicitation that our Society has nurtured to the work of goodness so many who seem more delighted with the good result of their labors, than with the applause which such labors deserve.

That it has contained men who were willing to exercise their talents when only the good of the miserable could be a reward, rather than to display their talents where the applause of the multitude would repay their efforts.

When the physician attempts the cure of the patient, he not only investigates the nature of the disease, but he also inquires into the abilities of the system to endure certain remedies.

So also the good prison visitor, the physician of morals, not only tries to judge of the extent of the moral disease which he is to combat, but he also seeks to ascertain to what kind of remedies the patient would be most responsive.

There lies the art of the prison visitor—to comprehend the amount of disorder, to be able to know what of good is left, and to have the address to apply to the right part the certain remedy, and to await the result with patience; repeat the application and its operation. He can do little good to the convict who has not ability to study his character, and patience to apply and re-apply lessons of love and reproof.

James Peters was directed to his prison labors by his ability to judge; or, more properly, his ability to judge the disease and apply a remedy, came from his love of doing good, and the experience gained by the indulgence of that beautiful affection. Naturally the man who seeks to perform his good works beyond the observance of the world, who places between his most beautiful act and the eye of the world, the high, massive walls of the Penitentiary, is a modest man; and those of us who remember our gray-headed brother, who gratified his innate sense of delicacy by taking his seat in the distant corner of the room, nearest the entrance, and listening to discussions without interfering with them, will recall to their memories a modest man, whose life exemplified the best principles of our Society, and whose special works showed how practical are all the theories which Christian philanthropy propounds.

We shall see him no more, we shall no more learn from his approving smiles that our plans are in accordance with his action.

If James Peters was not so great in his position in the world as to command the admiration of the community at large, he was so good in the discharge of the humble duties which he assumed, as to insure and receive the thanks of the repentant convict, and the love and admiration of this Society.

*Therefore resolved,* That this Society, entertaining a full appreciation of the services of its late active and most useful member,

James Peters, feels called upon to record in its minutes, at once, its members' admiration of his devotion to the cause of the prisoner, and their grief at the loss which the cause of humanity sustains in his death, and that a copy of these proceedings, properly attested, be transmitted to the family of the deceased.

The Great Reaper may be awaiting a fuller ripening, that he may have a larger gathering for his sickle, and it is, perhaps, true that we are all better suited to the harvest than the garner.

We do not mean to attach an undue importance to the labors of our committee-men, nor to suppose that more merit is to be accorded to their labors than to the sacrifices of others, but we feel that an encouragement to such work as they undertake is derivable from the specialty of approval by the Teacher of Charity "to those who visit the prisoner."

But we are not insensible of the great truth that the merit of any act is derived from the *motive*.

But while many of our Society are constant in word and work, going forth to their labor with an earnestness of purpose that insures benefit to the object and honor to our Society, there are others of them that do not take so active a part in the service; they have means and opportunities for aiding the cause without going to the penitentiaries and prisons. They devote power and means peculiarly their own. They are not sent on the charitable missions of the Society. They rank with those of whom Milton speaks—

"Some waiting serve."

They contribute that which strengthens contribution.

Since, then, we have laid so few of our members on the altar of duty, this year, we may refresh ourselves with the odors of the good fame that follow the dead of other years. We have extended labors which they intensified, and followed and enlarged the good works they gave for our example. We have sought to enlarge into a general system what they practised as individuals for individuals. We shall never exceed them in that pure philanthropy which was evidenced in their labor. We shall have done much if we multiply the benefits which they conferred.

The treasures of our Society are the memories of those who have passed the work down to us. Among them were men whose purity of life and whose zeal for the good of their fellow-men made the best fame of our city, in their time; and when we count up the good men which Philadelphia has produced, it is a source of grateful pride to the present members of this Society that they can say "these men were our predecessors in the good work of alleviating the miseries of prisons."

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTTLE,


*Secretary.*

---

# Appendix.

---



 *An Edition of MR. CHANDLER'S REPORT of his mission to Europe was printed in October last, sufficiently large, it was thought, to furnish all the members of the Society with copies, and also to serve as an Appendix to this Annual Report. The demand at that time trenched so hard upon the Edition that many numbers of this Report will be necessarily without the Appendix.*





# REPORT

MADE TO THE

24

PHILADELPHIA SOCIETY FOR ALLEVIATING THE  
MISERIES OF PUBLIC PRISONS,

ON THE PROCEEDINGS OF THE

## INTERNATIONAL CONGRESS,

HELD IN MIDDLE TEMPLE HALL, LONDON,

JULY, 1872,

---

BY

JOSEPH R. CHANDLER,

ONE OF THE VICE PRESIDENTS OF THE SOCIETY, AND ITS DELEGATE TO THE CONGRESS.

---

PHILADELPHIA:

1872.

.....  
PRESS OF  
JAMES B. CHANDLER,  
PHILADELPHIA.  
.....

# REPORT.

---

TO JAMES J. BARCLAY, PRESIDENT,

AND TO THE OTHER OFFICERS AND MEMBERS OF THE  
"PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC  
PRISONS."

THE SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS, could not be indifferent to the intimation that an International Congress was about to be held in London, to consider the subject of prisons and their inmates, prison discipline and prison labor and to obtain the experience of men whose situations or pursuits should give consequence to their views upon the great objects of imprisonment and the true ends of separating man from man, and how that end might be best obtained; nor could it neglect an invitation to be represented in such a body; provided that with the invitation came the satisfactory assurance that no merely personal view was a motive for the call, nor that a desire to derive consequence to the originators from the presence of those who should attend, was discernable in the proceeding that led to the movement.

It was not without a reference to all these things that this Society resolved to share in the works and

words of the Congress, and impart there some of its own long experience and derive advantage from the recitations of the experience and plans of others. So one representative was sent with instructions to take part in the deliberations of the Congress, and to investigate the mode of managing the public prisons, and of forming and conducting the numerous reformatories which distinguish Great Britain and France, and which seem destined to influence the character of Penitentiaries.

Entrusted with this important mission, I left the Country on the fifteenth of June, and reached London on the twenty-seventh. Though the Congress was not to begin its Sessions until the third of July, I soon found that the foresight of those who had moved in the call for the meeting had led them to provide subjects for discussion and to arrange those subjects so that the whole great end of the Congress should not be jeopardized by a waste of time upon minor topics, or an unprofitable extent of discussion upon unimportant questions that must in the end be settled by experience.

It was late to prepare for such subjects as should be presented by the Committee, but almost all who had any practical or experimental knowledge of the administration of a prison, could scarcely fail to have an opinion upon almost every question presented, though that opinion may have and perhaps ought to have been held with such a deference to the views of others as would allow of effect from arguments deduced from enlarged experience.

Feeling that I was from various circumstances pledged to a presentation and defence of the Separate System of prison discipline, that is, the Pennsylvania System, I prepared myself to represent the system to the Congress, and to defend it to the members and to others in more limited circles. And I felt less interest in minor questions of discipline that were presented and approved with skill and earnestness, because understanding the workings of the Separate System, I felt little interest in matters of detail, knowing as I do that the importance of these must be measured by the kind of system that should be adopted. Many, very many points that were presented with earnestness, and advocated with ability, owed any importance with which they were invested to their relations with, and dependence on, some system which in the end might be declared inadmissible.

The legitimate object of consideration in the Congress was prison discipline, as a part of social science, and that was carefully considered, fully presented, and ably discussed. But that consideration, and that full discussion, showed that one could scarcely inquire into the character of the prisoner, and the proper mode of treating him, without considering some of his antecedents. The crime which made him a prisoner was probably only the sequence of vice, and it must be difficult to deal with the convict with a view of improving his character and conduct, without understanding, if possible, what were the vices by which he fell into crime; and herein the science of Penitentiary discipline connects itself with and becomes a part of social

science, and that very "social evil," which moralists and legislators seem to shrink from, as irrepressible, may be brought into a full discussion, and the means of lessening it may command the attention of an international Congress. that, in its discussion of Penitentiary systems may arrive at the conclusion that the repression of a vice that is a crime-cause is legitimately connected with the action of those who would make the punishment of crime a means of social good.

The whole proceedings of this Congress will be set forth in a carefully prepared volume of probably eight hundred or one thousand octavo pages, but as such a work can scarcely be prepared by the translation from Italian, French, and German, by the copying out of lists, by the arrangement of the matter—the printing and binding—before February or March next, if then—and that delay extended in the United States by the time occupied in forwarding the work to our country, and its distribution, I have thought it a duty to make a shorter statement of what I heard, and saw, and said, in and of the Congress, so that if nothing else should result, the interest in the event will be kept up.

To those who sent me, I make now this report, rather general than particular—and others may also feel sufficient interest in the matter to read about an assembly whose deliberations cannot fail to be productive of considerable results—less this year or the next, than in a few years to come. Yet those results must still be labored for—cultivation follows the seed-time, and patience must precede the harvest.

The day after my arrival in London, the twenty-eighth of June, I proceeded to No. 1 Adam Street, Adelphi, the rendezvous of the members, and reported myself. I found that, agreeable to a previous understanding, certain delegates had come to London considerably in advance of the time fixed for the meeting of the Congress, and an Executive Committee had been formed, consisting of one member from every nationality to be represented in the Congress. This Committee had met daily, and would continue to meet till the day fixed on for the meeting of Congress. As this Executive Committee sat with closed doors, and came out with closed mouths, as indeed seems necessary where it is desirable that deliberations should not be disturbed by suggestions and criticisms, of course nothing was known certainly of the plan, until it should be laid before the Congress.

Most of the European delegates, aware of the mode of proceedings, had acted upon the suggestion of the circular that called the Congress, and they had presented in print, views, plans, schemes, and statements of Penitentiary discipline or cognate matter. These, of course, suggested subjects that should be discussed in the Congress, and their authors were to present their views in an opening speech.

Most of these theses were well written, and showed in their authors a general knowledge of the subject, so far as it is comprehended in their own countries. Certainly more attention has been given to the subject of penal institutions on the Continent of Europe, and in India, than has been supposed.

The idea of reformation has had less hold on the public mind than has that of vengeance, or even of profit. One impediment to advance in prison discipline has been the structures used for prisons; usually they had been built for other purposes—and even when they were of recent construction, they seem to have been built upon the calculation alone of detaining the prisoner.

This General Committee, having arranged the business, and the mode of conducting the business, of the future Congress, and devolved further arrangements upon an Executive Committee, especially the duty of editing and printing the proceedings—dissolved itself.

The sittings of the Congress were to be in the Hall of the Middle Temple, and the Committee were to hold their sessions in an adjoining room, called “the Parliament,” a splendid chamber, decorated with likenesses of Lord Chancellors who had been of that “Temple.” This served as a library, too, and the depository of the books, manuscripts, and curiosities of the “Benchers” of the Middle Temple.

The Great Hall, in which the Congress was held, was a very large room, with Gothic roof, the windows emblazoned with the arms of the deceased members, and the compartments of the high wainscoting filled with the shields and armorial bearings of the more recent dead. Busts of several Lord Chancellors were on pedestals. The west end wall was covered with large, full-length portraits of Charles I. and Charles II., and some of the queens of the time—some of them by Van Dyke. These are said to be fine specimens of art.



Charles II. is mounted, and the horse is remarkably fine. The screen on the east end of the room was wrought from wood taken from the ruined Armada of Spain. The window bears the notice that it was put up in the year 1579. It is said that Shakespeare was wont to read parts of his plays to Queen Elizabeth in this Hall.

On the evening of July 3, the members of the Congress assembled in the Parliament room (or the Library) of this Temple, and were formally introduced to the RT. HON. THE EARL OF CARNARVON, a great friend of social science, and one who, as President, would, from the dictates of the purest humanity, have shared daily in the meeting of the Congress, had he not been detained almost constantly in his chamber by severe illness.

At fifteen minutes past eight o'clock, the Earl and the Archbishop of Westminster (DR. MANNING) led the way into the Great Hall, and the Earl then delivered an opening address, of about one hour in length, to an attentive and gratified audience, composed, as is usual on such occasions, of a good proportion of ladies.

The address of the noble orator was one of those close, compact productions, which contain the great material, and leave to others the ornament. Every paragraph was marked with good sense.

At the conclusion of the address, LORD HARROWBY rose and bade the foreign delegates a hearty welcome in well expressed thoughts, and offered a resolution expressive of that welcome from all classes of British subjects connected with the Congress, to all members of that Congress from other countries.

SIR CHARLES ADDERLEY, M. P., seconded the motion in some well conceived ideas well expressed.

The EARL OF CARNARVON then called on the BARON VAN HOLZENDORFF, of Germany, who gracefully replied to the welcome.

MR. CHANDLER, of Pennsylvania, was then called on to speak on behalf of his countrymen.

On the fourth of July the business of the Congress fairly commenced with the body sitting as a "Committee of the Whole." The subject of discussion was presented by the Executive Committee, and a person selected to present it to the meeting, in a speech, and the speech was at once translated to the audience; if made in German, or French, or Italian, it was translated into English. If made in English, it was given in French, this caused delay, but it seemed to be necessary.

In these discussions some great and some small points were presented. But while by previous arrangement the presentation of subjects was in the hands of the European delegates, chiefly those from the Continent, the want of a knowledge of the parliamentary tactics so different on the Continent from those of the United States, prevented many American delegates from "having the word," or "getting the floor," so that, though unable to give their own views, they had an opportunity to learn the views of others.

Several of these European delegates had evidently studied with care the parts of the question which they presented and discussed—but it may be thought, and it was remarked by some during the debate, or rather the presentation of these several subjects, that their

studies had been made in the light which alone their own locality offered.

When a subject was presented, the Chairman appointed a "Reporter," to take down the principal ideas propounded, and also the remarks of those delegates who obtained the floor. And these statements were reserved to some subsequent day, and reported to the Congress proper, and were again discussed and laid aside as having been *considered*.

Unfortunately free and lengthened debate of any of the subjects was quite impossible in the time allowed for the session of the Congress.

Then to facilitate business, several sections sat at one time in different halls. This enabled a greater debate, but then those who most needed the instruction that was to be offered in one section were, perhaps, busy in offering instruction on another subject in another hall. And then many of these reports were never made to the Congress. They were left with the Executive Committee and will appear, such as they are, in the printed proceedings, though without the examination and correction of those whose remarks are reported. This is almost a natural consequence of having so much important business crowded into a few days.

PENAL LABOR.

---

On the subject of *penal labor*—that is labor more for punishment than for profit—advocates were found for the “ball exercise,” that is, carrying large cannon balls rapidly from one point to another, a very severe exercise with no moral or physical advantage to the prisoner, and no pecuniary advantage to any one. This method of discipline is practised in many prisons in England.

---

CORPORAL PUNISHMENT.

---

On the question of corporal punishment, there seemed to be many European delegates, mostly English, who advocated the use of the whip, and who gave instances of what was regarded as its improving qualities.

Of course no vote was taken upon a question whether the use of the whip ought to be *allowed* in prisons, but had a motion to that effect been made and brought to a vote, there can be little doubt that it would have been carried in the affirmative; that is, the Congress would have voted that the right use of corporal punishment is necessary to the government of a prison, and that right use included the right of the whip, and this was advocated by members from both sides of the Atlantic.

It was evident, however, that the opinion was held rather as the result of former practice. That with some, the use of the whip was to be a "reserved right," and the whip itself was to be hung up *in terrorem*. Such rights we know perish by *non user*, and are only revived to gratify sudden passion. The whip is certainly becoming obsolete. Affection is banishing it from families, and *study* from schools. Humanity has, by destroying the whipping post, saved the back and the self-respect of the human being; and the society for preventing cruelty to animals is likely to make the driving whip the only relic of the habits of other times, kept rather for ornament than use.

And really, without any special enactment, it would seem that no class of people would exercise the whip excepting the worshipful fraternity of "wife beaters." It was noticeable that the use of the whip to punish offenses against the rules of the prison was advocated by those who earnestly opposed the use of the whip to punish a violation of the laws of the State. With them a violation of the rights and interests of the whole community deserves and is to secure less punishment than a violation of the rules of the prison-house; the dignity of the gaolor is superior to that of the State; and measuring crime by the punishment it received, a felony against the peace and dignity of the Queen of England, or against the authority of the people of Pennsylvania is far less than impudence or disobedience to a keeper of a county gaol.

THE LADIES—MEMBERS AND VISITORS.

---

The Congress had among its members several women, mostly from the United States, a few of them had some acquaintance with a portion of the details of prison and reformatory management. These latter, by conversation with others, made known their views, resulting from their acquaintance, less with the principles of penal or reformatory institutions than with the action of their division of a particular house. Such conversation was useful; it made known to others the character of their experience—and, still more beneficial in its results, it corrected in them the erroneous opinions acquired in their limited circle of action. It is not our own experience alone that teaches; we profit more by the experience of others, carefully compared or combined with our own views.

Those ladies who visited the Congress to make known their own experience in the management of penal institutions or reformatories, and to profit by the experience of others, were useful to others and made their membership useful to themselves.

There were some ladies who seemed to have visited the Congress rather to display certain powers than to advocate or oppose measures of prison concernment. Their experience was not of the kind that could promote the objects of the Congress, and they perhaps rather injured the branch of Social Science legitimately under consideration.

But while, after these remarks, it might seem only

just to make more distinct reference to those women who took part in the action of the Congress, I shall save time by condensing, and shall illustrate my own view by taking a single woman as a representative of all her sex who were serviceable in the Congress.

MISS MARY CARPENTER

Is known in India, in England, in Ireland, in Continental Europe, and in our own country, not so much by her writings, which are considerable, as by her grand conceptions of public good and the noble self-sacrifice which she has made to insure the fulfillment of her magnificent schemes.

But these schemes do not derive their consideration from the establishment of any great plans of her own invention to change the course of penal or reformatory discipline. She studies to make useful the means which she commands, and adopts the plans of others if they are suited to the end she proposes, and is apparently as much concerned to bestow praise upon those whose system she admires, and perhaps partially adopts, as she is to make those systems promotive of the good of her beneficiaries.

Among the great works of Miss Carpenter may be reckoned "THE RED LODGE GIRLS' REFORMATORY," an institution which owes its existence and success to Miss Carpenter. The grand old building is the gift of LADY BYRON, the widow of the great poet, who, as is mentioned on a card, purchased the premises September, 1854, for the purpose of rescuing young girls from sin

and misery, and bringing them back to paths of holiness.

A proper description of this single work upon which now Miss Carpenter seems to bestow her entire care and her special affection, would demand the whole space of a Report, and then leave us unacquainted with its great capabilities; still more should we lack of the full means of judging of the debt which woman, which society, owes to Miss Carpenter, who is not only the glory of her sex, but she is a most extensive public benefactress, or rather she is the glory of her sex by being such an extensive benefactress.

Let it be said of this institution that it receives young girls of the most unfortunate condition, poor, neglected, miserable, and often as vicious as their age permits, rears them to virtue by kindness, and enables them to earn a living by work—by *housework*. They are never allowed to hear any one disparage domestic labor, and with them the wash-tub, the sad-iron, the broom, and the duster are as honorable as the sewing needle and thimble. Labor is a part of an education that includes practical learning, piety, purity, industry. May the spirit of pure philanthropy in our own city so train the girls whom it gathers from the neglected and the vicious classes as to make them respect domestic labor as the means of true independence.

The girls trained in this school are sent out to service, that is, as domestic servants, and they are in demand.

I was sent by this Society to attend the International Congress, and I did attend. I was absent from no



session of that body, and when more than one section was in session at one time, I was present at one of them and shared in the duties of the time and place.

But I understood that my mission included not merely the Congress of which I was to be a member, but the Prisons and Reformatories, about which I was to inquire and into whose organization and administration I was to look.

---

#### VISITS TO PRISONS IN ENGLAND AND FRANCE.

---

Before I proceed to consider further the action of the Congress, I will present my notes upon the Prisons and Reformatories which I visited, as my comments upon the movements in Congress are often connected with, and arise out of my observations in the prisons.

I had received from the Secretary of Home Affairs a permission to visit and examine closely the Prisons of Great Britain and Ireland, with directions to the Governors of these institutions to assist me in my investigation. As I was known as an active member of the Congress, I was not always called on to present that document, but as a stranger, however interested in prison matters, I could not have been admitted without some such permission. As it was, I am bound to bear testimony to the courtesy of the officials.

PRISONS IN ENGLAND.

---

Rather by chance than calculation, I first visited the old prison,

## NEW GATE.

This gaol is famous in the annals of crime and its punishment, and remarkable as well for its strength as for the number that have, in spite of that strength, contrived to evade the ingenious contrivances to prevent escape. Of this prison little need be said. It is an adaptation of an old structure to modern ideas. Its narrow passages, short turns, and steep stairways, reminded one of the experience of Jack Sheppard, while the names of more recent offenders, scratched into the plastering of the cells and corridors, showed the innate love of man to be remembered. Scoundrels whose crimes might have been forgotten, brought themselves and their murders to recollection, by placing their inglorious names where they would of necessity be seen by those who visit the place, and read by those who could read.

This Prison was clean—and there were certain arrangements, which distinguish most gaols of the kind, which I may notice. Visitors to prisoners were seldom admitted, even to see and converse with the untried, and the attorney of the prisoner awaiting trial was not permitted to approach his client nearer than six or eight feet—separated from him as all other visitors are, by two wire screens. And a keeper or some other officer always attends the visitation.

“Do you”—I asked of a keeper here—“do you listen to everything that is said by the prisoner and the visitor?”

“Motives of kindness and delicacy often prevent me from trying to hear what passes between them, especially if the visitor is a member of the prisoner’s family ; or if the question of his lawyer should seem to require an answer that would involve a confession of guilt, I try not to hear such matters.”

Spirit of courtesy—that finds exercise in the heart of a gaoler of the New Gate Prison—may thy influence be felt, and thy instigation practised by those who make the rules, as well as by those who administer them, in every prison in the world !

As I left “New Gate” I placed in the hand of my official guide double the usual gratuity—not because I had so much to spare—but because that hard hand seemed to be the minister of a soft heart.

It is not alone those who *come* to a prison and minister to the sufferers there that show practical charity—but also and especially those whose residence there teaches them to soften the severity of legal justice with the sweetness of Christian amenities.

#### COLD-BATH-FIELDS PRISON.

I took occasion, at a proper time, when the Governor was at leisure, to visit the Prison, or House of Correction in London, known as the COLD-BATH-FIELDS PRISON. The Governor of this institution was an officer of the British army, and had the bearing of a military

man, as well in promptness as in courtesy. I had met him at the sessions of the Congress, and was acquainted with his views of prison management and prison discipline. He received me courteously, and laying aside all other matters, he declared himself quite at my disposal till I had satisfied myself as to the condition and management of the prison.

The "COLD-BATH-FIELDS" was a city or county prison, like that at Moyamensing; it was for males only, and it contained from sixteen hundred to two thousand prisoners, of almost all grades. And there were about one hundred and fifty officers or employees.

In this Prison the Congregate System is chiefly employed, and the prisoners work together in gangs, overlooked by one or more officers for each room or division, and not one word is spoken by any prisoner, unless it be necessary to answer by monosyllables some question of an officer, and those questions are rare. The orders were given in as few words as possible, and were obeyed without reply.

Each prisoner bore upon his back his registered number, and the officers of the Prison all wore a handsome uniform, and badges of their particular rank; an excellent arrangement, assisting greatly in preserving order among the prisoners, and respect among the officials. The military character of the discipline, and even of the etiquette of the prison was manifest. Great precision of movement, exact occupation of prescribed points for overlooking—salutes on addressing a superior—short, curt commands, and punctuality in the fulfillment of general or particular orders.

This Prison being for males only, there were certain employments entirely feminine that were omitted ; but the work presented was not only done—but was done fully. One division of prisoners that I noticed was occupied in picking “oakum.” Each man received a certain amount (by exact weight) of junk—of old, tarred rope, and from that he was required to supply in a prescribed time a certain amount of oakum. The product is supplied to the shipyards of the Government, or sold to private persons. These oakum-pickers sat on a small stool—all facing one way—and immediately in front of them stood, on an elevated bench, an officer in full dress ; his business seemed to be to *see* that they all worked, and did not talk. And so far as I could see, or learn from inquiry, not a word was spoken for days by these prisoners. Yet it is evident that without words, without the use of tongues, these men hold communication with most miraculous organs. Their *looks* sometimes become eloquent, and the eyes make themselves understood when the tongue is chained by command and watchfulness. Great varieties of work are carried on by the large number of prisoners here.

The tread-mill is in full operation, and serves as a power in the mechanical parts. The officers of the Prison thought the work pretty severe. I could not learn from the prisoners their own views of the instrument as a punishment, or a means of reformation. The appearance of the wheel was repulsive, and the punishment itself seemed cruel and crushing.

It is proper here to say that while the subject of flog-

ging and the tread-wheel was under discussion in the Congress, CAPTAIN COLVILLE, the Governor of this Prison, said that "he had the largest tread-wheel in "Great Britain in his Prison, but that he had never "known any man to be the better for the infliction," and in that idea, DR. MOUAT, Inspector of Prisons in India, and SIR JOHN BOWRING, a Visiting Magistrate, fully concurred.

Provisions, ample and creditable, are made for Divine worship. A large Chapel, with convenient seats, would contain, and did contain, every Sunday, all the Protestant convicts of the place, and a clergyman of the Established Church was liberally paid for his individual services.

There was also a Chapel sufficiently large for all the Roman Catholic prisoners, whose spiritual wants were supplied by a clergyman of their own creed, who has constant access to his Chapel and his chambers, but, for whose services the Government makes no remuneration. This permission (*but without payment*) of Catholic chaplains, is more or less enjoyed in all the prisons in England, Wales, and Scotland. With a few exceptions, which will be hereafter noticed, some secular instruction is imparted by a regular school-master employed by the Government.

The Governor of this Prison is a man of military education, habits and experience, and though all the good claimed from the employment in that position of a military man may not be found, at least not acknowledged by all, yet certainly order, proprieties of condition, and promptness of obedience resulted from the

enforcement of military rule, and the prevalence of military habits.

In this Prison the mark system prevails, and the prisoner had with him, that is, upon his dress, the evidence of his conduct and bearing, by which he is to be judged.

The cells are small, and are ventilated by holes in the wall. The semi-circular window in the upper rear part of the cell does not open. The corridors were of five stories, but not much higher than those of the County Prison in this city, where there are only three stories, and each cell was low in the walls, and they are smaller laterally and longitudinally. As they, the prisoners, are occupied in the working-halls during the day, this lack of space in the cells is of less importance, especially as the heat of London is much less than in our climate.

This appears to me to be rather a comfortless Prison, not from the administration of its affairs, but from its construction and the necessities of the Congregate System. Corporal punishment is permitted, and, I suppose, sometimes practised.

#### TOTTINGHAM WESTMINSTER FEMALE PRISON.

Near Westminster Abbey there is a large "City or County Prison," in which are incarcerated only females. Between the high wall in the front of the establishment and the central building there are extensive grounds, beautiful with trees, grass plots, flower beds and fountains. I visited the prison known as the Totttingham Gaol on the seventeenth of July, and on presenting

my pass from the Secretary of State, I was graciously received by the Assistant Matron, and conducted through the whole establishment. There were upwards of nine hundred prisoners in the gaol and they are generally employed in making, mending and washing the clothes of the inmates and those of the "Cold-Bath-Field Prison" (males).

The Congregate System prevails here, and the women work in squads, under the eye of a Warden or Assistant Keeper, who requires of her charge perfect silence, unless an answer to some question of an officer should be necessary, and that answer must be as laconic as possible.

"And are you able," I asked of my conductress, "to enforce this rule?"

"Certainly. Do you see any one violating the rule?"

"No, I do not *see* any *one* talking, but I thought I *heard* several voices as I passed the corridor."

"Did you? It is very difficult to prevent talking among women."

"Yes, it must be."

"Beg pardon," said the Assistant Matron, "I mean among women who have, before conviction, been unused to restrain their tongues."

The laundry was a large apartment, supplied with the customary tubs, trays, drying places, and ironing tables.

I saw several bands of women at work. One squad was picking oakum—a sort of employment not very profitable in the United States, where machinery, moved



by an insignificant power, turns out immense quantities of oakum.

These prisoners all wear upon their right arm a badge denoting their rank with regard to conduct, and if any one of them forbears for three months any violation of rules, she earns for herself half a crown—about *sixty-two cents*.

While the prisoners usually labor in groups during the day, they occupy separate cells at night. These cells are small, low in the walls and about six by ten feet. Like the new cells in other English Prisons, they are ventilated by holes in the walls, and lighted by a small window in the rear, which the prisoner is not allowed to open under any circumstances.

The male officers of this Prison wear the handsome uniform that is worn by men of the same rank in the Cold-Bath-Field, New Gate and other Prisons for males. I do not know that the handsome dress of the Matron and Deputy Matron were according to regulation, nor that it is "*de rigueur*" that such officers of the Prisons of England should be good looking and very lady-like in their manners, but in these respects the Matron and Deputy Matron of Tottingham Prison set good examples.

There are two Chapels in this Prison, one for the Protestants and one for the Catholics. The services in the Protestant Chapel are conducted by a clergyman of the Established Church, who is paid for all his services, and those services, I was told, are abundant. The Chapel was beautifully decorated, with seats for those who watched over the services, in the disposition

of which reference was had to rank. The auditory of the Chapel was divided into three parts, for the three ranks of Protestant prisoners.

There was a Catholic Chapel also, one of the handsomest and best furnished I ever saw in a prison. A very beautifully decorated sanctuary contained a handsome altar and all the appliances for the public services of the denomination that worships there. All the seats are of rich walnut, and were abundant. At different points along the walls are chairs, so elevated that the feet of the occupants rest upon the benches of the convict worshippers. These chairs are occupied by the Wardens. The principal male officer in the prison is a Catholic, and he has a special stall and is a conspicuous person in the Chapel. Mass is said every morning, and Vespers are sung every Sunday and other holiday afternoons, and there is preaching by the priest.

The Episcopal clergyman is paid by the Government for his services. The Catholic priest receives no compensation from the Government. There is now a bill before Parliament requiring the services of a Catholic priest in all the prisons, and proposing a fair compensation therefor. The Catholic Archbishop is urging the passage of the bill, even though the compensation be refused. The kindest feelings seem to exist between the Episcopal and Catholic chaplains.

The whole number of prisoners here is about nine hundred, of whom one hundred and fifty are Catholics.

I felt much interest in the condition of the inmates

of this prison, as all were females, but the answers to inquiries which I was able to make did not leave upon my mind an impression that much was done towards the reformation and restoration of these unhappy women beyond the faithful services of the two clergymen and care of the Matron and Deputy Matron; both of these ladies looked and spoke as if they were doing all they could for the permanent benefit of those committed to their charge. But there is a voluntary, outside aid necessary. The punishments of offenders against the prison laws were the loss of mark of merit—the badge of demerit—the dark cell, &c. One young woman was undergoing the prescribed penalty of much talking and some negligence, by knitting stockings in a close cell, on a summer day, with anti-dyspeptic food.

Good order and great cleanliness marked this prison.

---

#### LIVERPOOL INSTITUTIONS.

---

After the examination of penal and charitable institutions in London and Paris, I visited Liverpool, where two establishments claimed special notice, and received careful examination. The first was the

#### LIVERPOOL BOROUGH PRISON, AT WALTON.

In fifteen minutes one is taken by railroad from the depot in Liverpool to the prison at Walton, and the ride through the suburbs of a thronging town is always

pleasant to those who have pleasure in the evidences and means of general prosperity.

The grounds on which this prison and its dependencies are built are larger than any that I have ever seen appropriated to such a purpose. The establishment consisted of two large divisions—one for females, the other for males and, extending along the street were handsome dwellings for all the officers of the prison, the Governor, Deputy Governor, the two Chaplains, and other officials. The prison proper had a castellated look, while the dwelling houses, with handsome front yards and large rear gardens, had the appearance of the residences of well-to-do citizens, who made their property subservient to the decorations of their town.

This prison, the Walton Gaol as it is called, contains nearly one thousand prisoners of various classes and different ages; about four hundred and fifty of these inmates are females.

#### MALE DEPARTMENT.

I was introduced under favorable auspices, even better than those that come from the permit of the Secretary of State; and two officers were delegated to conduct me through every part of the institution, and explain to me the working of each division.

This prison was built for the Separate Confinement of the prisoner, but without that forethought which takes into consideration the rapid growth of crime in such a population as is found in Liverpool, and such an improvement in police business as is consequent upon

increased experience and the multiplied means of receiving and detaining the offender. Hence the population soon outgrew the space, and Congregate labor took the place of cellular employment.

The corridors are four stories high, that is, there are four ranges of cells, one above another, where I think no more than three should have been placed. These cells are eleven feet long and six feet wide, and twelve feet high; they are of brick, not plastered, but smoothly painted of a light fawn color; the floors are of slate, as are the floors of the corridors above and below, presenting a clean, smooth surface, such as is not formed when boards, bricks or flat stones are used.

These cells, small as they are, are supplied with water, means of ventilation, and water closets. There is a small window in the upper part of the rear of the cell, which admits light, but it cannot be opened. An ingenious mode of signalling informs the keeper at once that something is wanted, and of the cell to which he is to go.

The spaces between the rows of cells is large, and though there are four stories, yet this unusual width and the light painting of the outer walls, the railings and the cell doors, make the whole corridor very light.

Here, as in most of the new and newly repaired Prisons of England, there are no bedsteads. The bed or mattress itself is attached by hooks at each corner to iron clamps with proper holes in the wall, and suspended across the cell. The bed is taken down in the morning and only put up at retiring time.

The prisoners are employed in various manufactures,

in turning the tread-mill, by which water is pumped to the top of the house and the loom for weaving cocoa nut cloth is moved, in making shoes and boots, and, as the officer said, in picking *Hokum*. This weaving of cocoa nut cloth is a work of considerable importance, the product is required for the floors of omnibusses, street cars, churches, &c. The yarns are imported from Brazil. Boots and shoes are manufactured here, and all the work of the prison is done by the convicts.

The tread-mill we have already said is operated here. It is a disgrace to the age.

There is in this Prison a large Chapel, in which male and females worship, or into which they come to worship at the same time, without one of either sex being seen by another of the opposite sex. This is done by assembling the males below and the females in a gallery so large that while it permits the occupant of that gallery to see and hear whatever is done or said by the clergyman, it precludes the possibility of seeing what is above or below any of the audience.

There is only one Chapel for both Protestants and Catholics, but a movable altar and other matters are supplied, so that the Catholic sanctuary is equipped and arranged for worship in a few minutes after the close of the Protestant worship.

The Protestant Chaplain receives £450 or \$2,250 for his services, a handsome house and garden, coals and exemption from all taxation. The Catholic clergyman has £300 per annum and the use of an excellent house and garden free, coals and exemption from all taxation. These two clergymen labor with great

zeal and in perfect harmony, and receive the highest respect of the community. The neatness and great order and cleanliness manifested in this Prison were worthy of note.

#### FEMALE DEPARTMENT.

This part of the prison contained about half of the prisoners, say four hundred and fifty. There is a Matron, a young woman, and the whole appearance of the place did credit to her supervision. The women do the washing and general sewing of all the prisoners. The washing-tubs were in small closets, so that the prisoners could not converse with, nor see each other while they were at work. This seemed to me of very little consequence, as they could see each other after work. It was the remains of a good system greatly disturbed by having more prisoners than cells.

These women wore the marks earned by their conduct, but, like the men in the other part of this establishment, they contrived by association to diminish the value of those marks, and to get into punishment. There are two kinds of dark cells. One, half dark, which is deserved by some minor infraction of rule; and we saw a young woman tasting of the bitter bread of repentance in one of these cells. There was below that deep of darkness, another deep into whose utter darkness the greater offender was thrust, with little food and no occupation.

This half mode of disciplining prisoners, that of partial separation and partial congregation, was, as might

be expected, productive of very little good. Repeated commitments were had, and I could not learn that the regular discipline of the Prison should be credited with the reformation of convicts. The services of the Rev. Mr. Carter, the Episcopal Chaplain, and those of the Rev. James Nugent, the Roman Catholic Chaplain, constant and zealous, must produce some good—but the system of congregate labor, the terrible infliction of the tread-mill must prove great hindrances,

This is one of the best ordered and cleanest prisons that I saw in Europe. There seemed to be an admirable understanding among the officers and employees ; due respect in the ascending grade, and kindness and courtesy towards all below.

In the yard of both departments of these Prisons, there are paths laid out in concentric circles. Here, the prisoners, under the close supervision of their respective keepers, take their out-of-door exercise. They walk steadily round, looking neither to the right hand nor the left, preserving perfect silence in their gyrations.

#### REFORMATORIES.

England abounds in Reformatories ; places in which it is intended that the consequences of parental wrongdoing or neglect shall be averted from the children. Refuges from the storms of vice that blight the spring buds of the poor and unfortunate of our race. Hospital or asylum *Refuges*, into which are gathered the young whose minds have begun to experience the evil



effects of bad association, where preventives shall be applied, that may secure to the young patient that position in life that is freed from temptations, and where that education may, without exception, be obtained which will, rightly used, secure respect from others and competence to the possessor. None who have not visited these institutions can judge of their wonderful powers of good. None who have not seen the child in squalid poverty and almost unconscious vice, and have marked his progress to decency, and finally his advance to respectability, can appreciate the value of these garnerers of the miserable waifs of society—can estimate their capabilities. None but those who have seen the self-sacrificing efforts of the principals of these Reformatories, can comprehend the usefulness of which one man is capable, or the immense indebtedness of society to those who give up time, interest, and strength, to save the young from destruction.

England, I have said, abounds in charitable institutions; indeed, a visitor who took the trouble to count up a considerable part of those of whose existence and benefits he had heard, expressed an opinion that if all the sickness, or all the misfortunes did not happen to set into one channel, at any one time, there appeared to him institutions, public, and some private, sufficient to assist all the people. That may be rather an exaggeration, but certainly the immense wealth of a portion of the English finds large investment in a fund quite different from the consols, railroad companies, or banking-houses—perhaps the kind of investment to which I refer, helps those interests that are considered merely

fiscal. The number of industrial institutions connected with reformatories and refuge homes, regarded as entirely private and not certified, is one hundred and sixty-five, accommodating eight thousand nine hundred and thirteen persons. These work by persuasion only, or by consent or desire of parents or guardians.

In addition to these, there are *certified* reformatories, and industrial schools, in like manner carried on under private management, but under obligation to the State in regard to young people who are likely to become offenders against the law. These certified reformatories number seventy-two, and they accommodate six thousand three hundred and thirteen persons, costing the Government £136,135, or about \$680,675. While the certified industrial schools in England and Scotland number eighty-two, costing the State £138,407, or \$692,035.

So many of these reformatories, refuges, homes, receptions, &c., &c., have been visited or explained, that it seems difficult to give any just idea of the particular usefulness of any one, without confounding merits and capabilities that may be special to another. One institution seems to have a claim upon particular notice, on account of its position, the character of its inmates, and the wonderful success of the efforts at establishing and conducting it. I allude to the institution in Ann Street, Liverpool, known as the

REFUGE AND NIGHT ASYLUM OF DESTITUTE HOMELESS  
BOYS.

To understand the usefulness of this Institution, one must know something of the class from which it derives its inmates—not merely the age of the boys admitted and discharged, but the condition, social and moral, of the lads and of their parents—if indeed they have any parents, as they are mostly of the class of boys denominated “nobody’s children,” waifs in the street, and along the Docks of Liverpool, the Arabs of a commercial desert.

Liverpool is the *refugium*—I will not say *peccatorium*—but the refuge of the miserable, unfortunate and vicious from Ireland—driven from their native land by causes that need not now be referred to—and seeking labor wherever it presents itself, with no habits of economy, and little sense of domestic comfort.

Thousands who leave Ireland with an intention of getting to America, are stopped at Liverpool for want of means to pay their passage across the Atlantic, and these, with many other thousands, constitute a sort of population in that great metropolis, that is more than happy if day by day it can earn its daily bread. These people become parents of children that seem to have had little sense of their capabilities of good, and yet were able to press upon the minds of others their capabilities of immense evil. Wild, ignorant at once of custom and decency, they became a nuisance, and while their hands were against the loose property of every citizen, the hands and tongue of every citizen were against

them. Amidst denunciations of such children, with dislike of them *in esse*, and fearful apprehension of them, *in posse*, the Rev. James Nugent, a Roman Catholic clergyman, conceived the idea of saving the boys to society, and saving society from the evils of those boys. Believing that he could accomplish much, Mr. Nugent knew it was his duty to attempt it, and he gathered a few of these untaught, unclad *Arabs*, children of nobody, with only the claim of common humanity, and the fact that their parents were or had been of his creed, and *began* the work of decency,—religious, moral education.

The Government of the country knew the condition of this class, and gladly encouraged the work of Mr. Nugent. He gathered them in time into a large House, used formerly by the Circuit Judges of the nation as their lodging in Liverpool; it had many rooms and spacious gardens. The hands of Mr. Nugent were strengthened by the contributions, on the part of the Government, of three shillings per week for the small boys, and five shillings for each lad over eight years of age.

Teachers of the Order of "the Christian Brothers" were employed, and the institution rose into public confidence and public approval, so that now no institution in Liverpool is more popular than the "Boys' Refuge," and no man more respected than its founder and director, Rev. James Nugent. I visited this Refuge and examined it carefully—because it was a pattern institution, not only from the peculiarly squalid condition in which the director found those whom he made

its inmates, but from the wonderful, almost miraculous results of his labor in their behalf.

When I visited the institution the work of education was going on, from the primary washing of the newly-received lad—(really it looked as if the ablution was to him a *primary* washing)—going on from that effusion or immersion, which was the initiatory ceremony of the neophyte, to the highest lessons in algebra. Every step in education to the point mentioned, viz., the higher branches of arithmetic, was taken in that school, and religious instruction constituted a part of the regular exercises of the children.

I have already spoken of the music taught there. It is proper to distinguish between musical exercises and musical instruction. Almost all young folks contrive to sing songs and hymns, and some to beat a piano or worry a violin—but very few are taught music as a science. The lads of this school nearly all sing, and more than fifty play on some musical instrument, and all who pretend to take part in the musical exercises, whether vocal or instrumental, read music with facility, and understand what they read. The thoroughness that distinguishes the musical instruction in this Reformatory is a characteristic of the teachings of the Brothers who administer the affairs of this institution; and the black-board, the copy book, and the demonstrations of the class-rooms show that what is taught is well learned, and that the teachers are conscientious and try to impart that great quality to their pupils.

But reading, writing, arithmetic are not enough. These boys are taught trades, shoemaking, tailoring,

basket work and the manufacture of small articles for sale at the shops; but I was specially struck with the appearance of a printing office. Here the boys had been taught to set type and "*make up*" pages of matter; and discovering a large new press in the cellar, I learned that the art of printing was really practised there. One publisher of a newspaper in Liverpool has his paper printed in that Reformatory. "Case work" and "presswork" all done by these lads, and done well.

Now let it be understood that these are not children who have *fallen* into poverty—not those whose parents have seen better days—not those in whose memory still lingers the relish of home decencies and home enjoyments; their parents were always down, they never knew good days, and in these stray ones there could be no memory, because there was never a relish, of decency or comfort. In this country children who have lost one parent are called half orphans—but these boys were whole orphans—both father and mother were alive, lessening the chances of any good in the boy, by vice and squalor in their homes—to which homes, however, the children seldom resort. These boys had occupied odd corners in narrow streets, or between casks and bales on the wharf, and had as little compunction in appropriating to their own use any article which came in their way as have their companions, the wharf rats, in supplying themselves with a breakfast from the merchant's cheese-box.

While I was listening to some explanation, an officer brought in a boy who was to be made a recipient of

the benefits of the place. The lad, about ten years of age, seemed to look at the scene before him with a sort of stupor. His hair, which would defy the strongest hand to force through it a comb, looked like a Mexican chapperal; his face may have had a good or a bad expression, but all expression was denied to the features by the superabundance of dirt that had by some means adhered to the cheeks and chin. The rest of his skin—for though he wore what had once been called clothing, yet so little of their original shape had been left, that trowsers and jacket (there was neither hat, shirt nor shoes) were reduced to a few square inches of rags—the rest of his skin seemed to be on general exhibition, and mind and body were incrustated with the dirt and stolidity of a wretched vagrant existence. And yet nine-tenths of the boys of that Reformatory had come into the care of the institution in a mental and physical destitution and squalor equal to that exhibited by this newly admitted member, and more than nine-tenths of those boys exhibited ingenuity, industry and thought, learning, manners and morals that would grace the boys of our High School.

This Reformatory is now so well established, has such support from the Government, and so much of the confidence of the public, that the only difficulty now felt is to dispose of the graduates—to find employment for them. Mr. Nugent has visited this country with a view of placing some of the older boys here or in Canada; so that though they are nobody's children, they may be, at least, somebody's fellow citizens.

Though this Reformatory is entirely Catholic in its

discipline and teachings, yet no one applying is denied, and especially are the doors open at night for any little vagrant that has failed during the day to obtain the means, or to use the means for procuring a piece of bread and the price of a night's use of any straw.

The diet of this institution is wholesome and abundant. Meat is had every day, and bread and coffee are given. The dormitory was spacious, airy and filled with clean beds, that were all occupied at night. The "infirmary" was ample in size and abundant in all appliances, excepting patients. Nobody was sick in the establishment, and the well furnished infirmary seemed to be a supererogatory adjunct of the institution.

The Government contributing so liberally to the establishment and support of the Reformatory, exercised the right to appoint, and discharged a duty to maintain, an Inspector of the institution. He is a clergyman of the Established Church, and is conscientious in the discharge of the duties devolved upon him by his appointment. The Inspector is in perfect accord with Father Nugent, and the Christian Brothers told me that they regarded him, the Protestant Inspector, as one of the warmest friends of the institution. That was gratifying to me, especially as the same good understanding seemed to obtain in most of the public institutions where the Protestant and Catholic clergy are brought together.

Besides the one hundred and sixty boys who are wholly maintained in the Reformatory, there are about thirty who come in the morning, receive instruction and



a dinner and supper, and return to their parents at night.

I have dwelt more upon this establishment than upon any one of the institutions for juveniles in England, because it has accomplished more than any other, and because it receives a class of boys that abound in this country, and who seem, by their utter destitution, to escape the attention or the care of many who require a little more "deservings" to call forth their charities.

This Reformatory in Liverpool illustrates the power of Christian philanthropy and the capabilities for goodness and usefulness of the lowest of our kind.

#### SHIP REFORMATORIES.

Liverpool and its vicinity abound in Reformatories, all admirably managed and needing only more resorts for those who have completed the time prescribed for a residence therein.

Near Liverpool are the Ship Reformatories, to which are sent lads whose condition, when found, is not unlike that of the inmates of the Refuge which I have just described. These are placed in the ships, and with the ordinary education they acquire an acquaintance with nautical life, with the duties of seamen, and are thus disciplined to usefulness in a pursuit which is not overcrowded.

One of these ships is specially devoted to the class

of boys that are at the Night Refuge, not merely as to their condition, but also as to the religious creed of their parents. It seems to be doubtful whether the little fellows have much knowledge of, or attachment to, any Christian denomination. Rev. James Nugent has also the direction of affairs on board the vessel, and under his direction and supervision religious truths and habits are inculcated, and the boys are trained to the capabilities of usefulness, most of them to be of a class that find constant employment in England in the National or mercantile marine. These lads, like those in the Night Refuge in Liverpool, are taken from a condition where uselessness would be considered a merit—a condition that insures vice and crime just in proportion to the capabilities of the lad.

---

#### PARIS PRISONS.

---

#### THE ROQUETTE.

With some American gentlemen connected with the direction of prison affairs at home, I visited the Roquette prison, in a part of Paris near Père La Chaise Cemetery. On application we were admitted through the gate into the court or front yard of the building, and a person in uniform was dispatched to inform the *Directeur* or Governor of our presence. But as time was precious, we plied the keeper with questions that we had intended for his superior.

We learned, for the keeper gave us to understand, that there were about six hundred prisoners in the "Roquette," some of whom passed into other prisons, especially to "central" prisons at a distance, others terminated short sentences there. We learned from our informant that the rules for the management of this Prison were like those in other places of a similar kind in Paris, but he was not certain that these rules were followed exactly. When we had gained about all the information which we could get from him, it was announced to us that the *Directeur* would see us. It seems that he had been listening from his window to the questions and answers, and was not pleased with the want of reticence, which had so gratified us, in his subaltern.

The great man, after a frown to his keeper, told us that we could not be admitted without an order from the "*Prefet*."

The pavement of the "Roquette" is stained with the blood of the victims of the murderous Communists, the blood of men of exalted situations, of exemplary purity and of a piety that recommended them to the fiendish vengeance of the wretches who had seized them as hostages, and had by such a seizure and such a motive given a sort of sanctity to their lives—a sanctity, however, which seemed to excite and aggravate murderous atrocities.

I do not know that these terrible events which distinguished the "Roquette" during the recent triumph of disorder in Paris, have made the Prison any worse than it was before, nor that the atrocities committed

therein owed any of their excesses to the habits of the officers, but one sometimes connects bad manners with the fame of bad morals.

Undoubtedly the *Directeur* of the "Roquette" has a right to refuse admittance to any visitor who should present himself without a permit from the *Prefet*, but in Paris, and in various parts of England, the refusal, if offered, was always in a tone that seemed to lessen disappointment. And as he kept turning over his papers while he was talking to us in French, I let him know that my companions did not understand a word he said, though they perfectly comprehended his discourteous manner. I said that we did not *now* need admittance, as we had learned from the Sub-*Directeur* all that we wanted to know about the administration of the place, so that I would save him any trouble to speak about it, and save myself and my companions from any longer appearing as intruders. The *Directeur* was less pleased with my answer than he was with our departure without ceremony.

It was rather an unpleasant occurrence that, after the very disagreeable passage with the *Directeur* of this bad prison, when we crossed the court-yard to leave the premises, we found both doors of egress and the grand gate fastened, and the warder or turnkey was unable to open them with the *passe-partout*, or general key with which he was furnished. This detained us nearly half an hour, till the official keys were obtained.

We concluded that there were some grave exceptions to the general rule of French courtesy, but so far as our own experience extended, those exceptions were

confined to that prison of Paris which bears the worst character of any in modern France, and in which horrors have lately been perpetrated that exceed in atrocity those of the Temple, in olden times.

#### PRISON DE LA SANTÉ.

After some considerable delay and some plain speaking, I procured from the office of the *Prefet* a permit to enter the Prison De La Santé, situated on the extreme outside of the eastern *quartier* of Paris. The permit bore upon it directions for allowing the investigation to be thorough, and a request that all attention be given to me and my companion, General Pilsbury, the warden of the great prison in Albany (N. Y.). This little extra kindness may have been gained by the little extra rudeness in delaying its grant.

We then drove to the prison De La Santé, where we were received by the sub-officer and conducted to the office of the *Directeur*, the warden, or superintendent as we call those officers.

He is an amiable, agreeable gentleman, of pleasant manners, and seems to understand the duties of his place. After the usual examination of our permit, he desired us to sit a moment while he attended to some little matters which, as they concerned the convenience of individual prisoners, we should see required his immediate attention.

The *Directeur* spoke no English, so I had to watch, and listen, and translate.

When the demands of these prisoners had been

made known by themselves, and the *Directeur's* judgment was given, that gentleman announced himself ready and willing to serve us in any way in his power, and he recommended that we should propound questions to him, and he would answer them fully, and then he would conduct us over the whole institution.

The walls of the prison must enclose an area much larger than that within the walls of the Eastern Penitentiary of Pennsylvania. The outer walls and those inside serving as partitions, were made of a sort of conglomerate stone, that was, I presume, artificial.

The whole cost of the grounds and building was eight millions of francs, about \$1,600,000, and would probably cost more than twice as much now in France, and *three* times as much in Philadelphia.

The full quota of convicts in the prison is one thousand; at present there are eleven hundred, the excess coming probably from the recent political troubles.

One-half of the regular prisoners were held in cellular confinement, that is, in what we call Separate Confinement—to see and converse with religious and moral teachers, with the officers of the prison, and with their friends at fixed periods, but not with any other prisoner. There were five hundred cells, and every one was of course occupied.

The other half of the prisoners were held in Congregate Confinement—that is, to labor in divisions during the day, and to be placed in separate cells at night. How the one hundred extra fared I could not learn, but I know they were put to work.

Here there appeared to be a trial, side by side, of the

two systems—though I do not think that the Separate System could be wholly and perfectly developed, and produce all of which it is capable, in an institution not exclusively devoted to Separate Confinement.

I asked as to the kind of punishment used in the prison for prison offences, and I learned that for any considerable violation of the rules of the prison, the offender had to undergo close confinement in a dark cell, with some reduction in his allowance of food, rather in kind than in amount. On looking into the department in which these punishment cells are placed, I found them about six by ten feet, well ventilated, with a bed frame and a good, hard board for a bed. Water and conveniences were in the cell.

The whip is never applied to an offending prisoner, nor is any one allowed to apply opprobrious epithets to him. His punishment is the dark cell and short commons—all beyond that, by any one, is against the rule. The effect of this mode of treating an offender is excellent—the mode itself is a part of the great system of the place, and shows that the administration of the prison includes the convicts in the list of human beings.

On putting the question to the *Directeur*, “which system of imprisonment do you think best—the separate or the congregate,” he intimated his strong preference for the separate.

“But,” said I, “which do the prisoners prefer?”

“That depends,” said the *Directeur*, “on the character, mental and physical, of the prisoner, and especially

is the choice influenced by the intention of the convict with regard to the future of his life."

The *Directeur* then admitted to his presence a young man of good appearance, who came to beg that he might be allowed to pass from the Congregate to the Separate Confinement. He said that he could not do his work as well with others, as he could alone. He could not profit by instruction, and he was disturbed by the conduct and conversation of his companions. His prayer was granted.

The other prisoner who was admitted, desired to be removed from the separate to the congregate department; he was a stolid, heavy looking fellow, nearly deaf, and seemingly a good candidate for an idiot's asylum. His request was granted. He could do very little harm in prison, and receive very little good there or any where else.

Some of the convicts of this prison are, after a year of service, sent to what are called the Central Prisons, in the interior of the Empire—beg pardon—the interior of the Republic.

With these and other preliminary explanations, the *Directeur*, accompanied by one of his officers, conducted us through the establishment, explaining every part and its use.

#### SEPARATE CONFINEMENT.

We were taken first to the division appropriated to the five hundred prisoners condemned to cellular, or Separate Confinement. Here, radiating from a common centre, were five hundred cells. These cells were



about seven by ten feet, with about ten feet in the walls. In each was one prisoner, at work. Of course we did not see all—but those whose doors were opened to us, were good-looking men, mostly French. Some were filing certain metals—door handles—others were turning with a *lathe*, brass, silver, and ivory—and the work they had completed seemed to be satisfactory.

One of these convicts, who was finishing some brass work, had, at his own request, been transferred from the congregate to the separate side, and when asked why he chose that comparative solitude, he said that “it was impossible to labor with the others without sharing in their conversation, and finally in their ideas. In his cell he could work quite as well as in congregate, and he *could think*.” I had some little conversation with him, but fearing to violate any rule, I did not say to him all I wished, though I was not hindered.

These five hundred cells were amply provided with water and conveniences. The air was admitted through apertures in the wall. Ventilation was from the bottom of the cell, and in the upper rear part of the cell there was a large semi-circular glass window, which was partly opened. The walls were smooth, and the floor of these cells was made of what is called *marquette* work, that is, small pieces of hard walnut wood, which seem much preferable to brick for endurance, or to ordinary plank for neatness and comfort.

There were no gratings to the doors of the cells. A narrow plank door, with a small wicket closed the cell. The lock and bolts and means of communication were all of the nicest work and appeared ornamental.

Keepers were always in the corridor, so that an inmate of the cell could at once communicate with them if necessary.

Having spoken to two or three of these isolated prisoners, I put to the *Directeur* the following questions:

"Have these men no other exercise than that which comes from their labor in their cells?"

"Certainly they have, and I will soon show to you yards in which the separate prisoner has his walk, and converses with his keeper if he desires to; and also where the congregates take exercise."

"What is the effect of this Separate Confinement on the health, mental and physical of the prisoner? Does it produce physical disease, or insanity or *idiocy*?"

He answered, "I have looked carefully to that matter, and I am free to say, that I have never seen any ill effects, mental or physical, resulting to the convict from Separate Confinement."

#### WORSHIP.

We were then taken to the *centre* from which these five hundred cells radiated; there was an elevated platform, upon which was placed an altar with candlesticks, &c., such as are usually seen upon an altar in a small Roman Catholic Church.

"Here," said the *Directeur*, "on every Sunday and grand religious *fêtes* is given Mass, and a discourse is preached—the doors of all the cells open towards the centre, and they are opened about eight inches for Divine service, and fastened so that each prisoner can

see and hear the priest without seeing or being seen by another prisoner.

In the front of the altar there is a larger space between the radiations, and in that space are placed the "Congregate prisoners who can see and hear the priest without seeing or being seen by the Separate prisoners. The arrangements were admirable, more ingenious than at our Eastern Penitentiary, because in the latter prison there being no Mass; only hearing is to be provided for.

After looking with so much approval at the arrangements for assuring to the Catholic prisoner the means for religious services, I ventured to express a hope that the Protestant convicts had not been overlooked.

We will see, said the *Directeur*, and as good John Bunyan says, "he had us up into a high chamber," where there were a pulpit, and a series of boxes so constructed that while each prisoner could see and hear the preacher, he could not see any one of his fellow worshippers. "This," said the *Directeur*, "is the Chapel for the 'Separate' Protestants, and here they are assembled every Sunday and great holiday to hear religious instruction from a clergyman of their own creed, as far as possible. And," added the *Directeur*, "I will very soon show you the Chapel for the 'Congregate' Protestant convicts, and while on the subject of Divine worship in the prison, I may as well finish its consideration;" though in the course of our movements, the explanation was not finished until we had spent another hour in different parts of the establishment.

"Here," said the *Directeur* as he opened a very nice

room, furnished with a little pulpit and with a number of comfortable seats, "here is the Chapel for the Congregate Protestant convicts. Here their clergyman comes every Sunday and grand holiday to instruct them according to their creed."

This seemed to me an excellent, liberal and satisfactory arrangement. All the Catholics—both the Separate and Congregate—had services to suit their condition in prison, and all the Protestants were equally provided for—two congregations of each kind.

"But," said I to the *Directeur* of these one thousand regular prisoners, "how many Protestants are there to make up these two congregations of 'Separates' and 'Congregates?'"

"Monsieur," said the *Directeur*, holding up the thumb and fingers of both hands, "there are ten hundred Catholics," and then extending the thumb and fingers of his right hand, he added, "and there are FIVE Protestants."

"Five hundred?" I asked.

"Five—only five persons," said the *Directeur*.

"Why the difference is immense," said I.

"Yes, but it is of the same proportion that exists outside of the prison throughout France. About five Protestants to one thousand Catholics. But," said the *Directeur*, "here is another Chapel." And he opened a door and a little pulpit stood in one end of a small room, and several neat seats were placed in front, and he pointed to an inscription over the door, "*Chapel for the Israelites.*"

Though the *two* congregations of Protestants, viz:

Separate and Congregate, were composed of only five members, that is, if equally divided, two and a half for each, I was glad to learn that the congregation of the Children of Israel was even smaller than either of the Protestant assemblies.

Only five Protestants were found in the prison, and for these a pastor was found—and as the flock was not exactly of one mark, viz: part Congregate and part Separate, two folds were found for them.

Only *one* Jew was found in the whole prison. Only one among the eleven hundred condemned, and he had his *rabbi*, he had his synagogue, and he had his instructions.

#### SECULAR INSTRUCTION.

Secular instruction is given to the Congregates in a large room provided with benches and desks, and a regulated amount of time is devoted to the duties of the school room.

The service is rendered *individually* to the “Separates.” Almost all improve.

As my companion was not well, and needed repose, I had to omit certain inquiries which are always interesting—such as to the effect of knowledge acquired in prison. My own observations are that whatever a convict acquires in prison, is more esteemed than that which he had learned before his entrance, and was put to larger use, whether good or bad. Women I have found proud of the ability to read and write, which they obtained in prison, and much disposed to consider

the attainment as a motive and means for living better.

The five hundred "Congregate" prisoners are kept at some kind of work in different apartments, separated usually by glass partitions. Shoemaking, bootmaking and tailoring seemed to be extensively carried on. Shoes and clothes are largely manufactured here for the army, the police, the *Gens d'armes*, and for use in the prison itself.

Shirts and drawers and other light wearables were made also.

Those little boxes in which the manufacturers and shop-keepers put up their small wares, and in which the apothecaries and the patent medicine inventors enclose their compositions, are made by the men. All seemed to be busy.

In this department the instructed and experienced eye of my companion detected two divergings from what he thought was the true way—the men faced each other, and they talked some, and the floor of the shop or apartment was cumbered with chips and cuttings, which the workmen made and suffered to lie upon the floor. Here and everywhere throughout the vast structure there were evidences of a true consideration of the necessities of the occupants; and decency and delicacy seemed to mark the ample conveniences here, as they do in Paris, beyond the walls of the prison.

## INFIRMARIES.

There were two large rooms called infirmaries, these had twice the number of beds necessary for the sick and injured at that time, and nurses were stationed in numbers equal to the wants of the patients. Resident physicians and apothecaries were provided, and the "Pharmacy" was a very handsome apothecary establishment, requiring help, which was drawn from the congregate convicts, who were very serviceable, and made use of their acquirements, it is said, when released.

Unfortunately, I think, Napoleon the First, in his zeal for French, ordered all physicians' prescriptions to be written in French—but he did not order them to be written legibly, and perhaps that answers as well as if Latin was permitted. In the apothecary shop, well-gilded bottles, and neat, handsome pots, for unguents, ornamented the shelves—but the bottles were marked *eau* instead of *aqua*—and the fine mystification of Latin abbreviations yielded to the simple French.

I noticed on the benches, near the door, a double row of earthen jugs, or amphora—marked "*absinth, vin*"—that is "wormwood, wine."

I asked the *Directeur* whether these were prescribed by the physician.

"Yes," said he "when he wishes to build the prisoners up, so as to be able to go *out*."

"Why," said I, "these are the very things that bring *in* our prisoners."

The *Directeur* smiled, and said that very few of his prisoners owed their imprisonment to drunkenness.

Wine is the common drink of the people, but the drink is seldom excessive—and if the water were more plentiful and better, perhaps less wine would be drunk. It is also probable that if the wine were better, more of it would be drunk.

Temperance, however, is the general rule of the city and the country, though those who are able by personal observation to compare the present with the past, are compelled to admit that many of the working class have substituted *rhum* for *sour wine*, and many of the wealthier class have passed from the cooling *claret* to the sparkling and exciting *champagne*—and from the *eau fraise* of the spring, to the *eau de vie* of the distillery. Crime against the person seems to multiply, and suppressed rebellions and convicted communism have done their share in the work.

Prisons are crowded in the United States, and the keepers declare and the victims admit, that, but for intoxicating drinks, four-fifths of the convicts might have been at liberty, without the disgrace of having been imprisoned.

The prisons of France are crowded, and the keepers admit and the convicts declare that intoxication had nothing to do with crime, and that there is no relation between intemperance and imprisonment.

Where shall we search, then, for that cause which produces in all countries such effects?

“If it were not for the established distinctions of society, which ensures wealth to one small class, and condemns to poverty, real or comparative, another and a large class,” says the English chartist, “we should



have little crime and few prisoners." And the English prisons are filled.

"If it were not for the oppression of a hard and self-established government, that sustains itself by military force," said the French patriots, "we should not have to mourn so many of our compatriots who languish in prison." And the French prisons are full.

"If it were not for the obstinacy of the Bourbons," said the people of Naples, "that persist in withholding encouragement to enterprise, and thus keeping back demand and reward for labor, our prisons would not be crowded as they now are, with men capable of labor and willing to toil." And the Neapolitan prisons were crowded.

In the United States there is no established aristocracy to prevent the exchange of wealth, and thus restrain effort. In the United States there is no military power to crush the spirit of the people. In the United States no Bourbon incubus sits upon the people to repress enterprise, and thus repress labor and forbid its reward. And yet the prisons of the United States are crowded with convicts.

There is an explication of this apparent mystery, but it is not here and now that such an explication will be attempted.

It is perhaps not quite enough to say that man's heart is evil, and that that evil finds expression in the mode that most readily presents itself—and that various countries produce various criminals—all producing many, who vary only in the circumstances which call into exercise their bad qualities.

The question, however, is one of vital importance in social science.

It would appear from the kinds of industry that were practised in this prison, De la Santé, that in our own country the whole resorts had not been exhausted, for the introduction of the turning lathe into the "Separate" cell, indicates an enlarged means of employment—not, perhaps, profitable to the establishment at first, but good for the prisoner, and ultimately advantageous to the prison.

There was on the ground floor a depository for meat, and near it a room filled with green vegetables, carrots, cabbages, &c., while "dry vegetables," as they were denominated—rice, potatoes, and the like, were placed in an upper room.

In one room on the *rez-de-chaussée* (the ground floor), there were placed two large, black, marble slabs, with channels near the edges—these were for the dead. In the next room was a white marble slab, elevated a few feet, for the purpose of *autopsy*.

Even the dead are provided for and made useful.

There seemed to be no disposition on the part of the officer of the prison to conceal anything from us, or to prevent our conversation with the prisoners.

The time which was before us allowed of little talking. We, however, could judge of the character of the discipline of the place by the manners of the Chief, his officers, and the prisoners. In England, wherever I visited, I saw tokens of an old-fashioned military harshness, that did not please me—did not correspond with my ideas of the relations between prisoners and their

guardians—did not look as if reformation of the criminal and his restoration to society were points of much consideration in the prison—they did not seem to enter into the calculation of those who formed or those who administered, the rules of the place—nor into the intentions of the prisoners themselves. There was a sternness which constantly reminded the convict of his condition, and there was a lack of all appearance of sympathy on the part of the authorities, that experience shows to be necessary to good, moral influences, nor was that all, it was not alone the cold bearing of the keeper to the prisoner that distinguished the government of English prisons, but it was the almost menial subserviency of each inferior officer to his superior. A concatenation of mean oppression downward, and of restrained dislike upward. Of course there were exceptions to this statement.

In Paris, while the prisoner received with apparent thankfulness the direction and instruction, always given in a kind tone, of the keeper directly over him, each keeper, of all ranks, seemed to illustrate the idea of co-operative and reciprocal courtesy, and when the *Directeur* (that is, the warden, or governor), of the prison came among his numerous subordinates, there was no rushing to the wall, with hands elevated to the eyes, as if to shade them from the effulgence of superior place and power, and answering with bated breath questions curtly put. No man seemed to shrink into the wall or into himself, as if to show that he worshipped, as they did in old Nineveh, the bad spirit, to propitiate his terrible power.

When we commenced our inquiries relative to the discipline of this prison, I have already stated that the *Directeur* remarked that not only was there no corporal punishment—that is, no application of the whip—but that no harsh language, no opprobrious epithets were used towards convicts, and as we passed along from group to group of the congregate prisoners, I noticed with pleasure that the *Directeur* saw in his unhappy prisoners human beings, who had not been ignorant of the courtesies of life, though they had violated its laws and proprieties; while they had learned that though he was their *Directeur*, he was also their friend. And as he turned towards a number engaged in work, they arose and bowed to him with the general salutation, “*Bon jour, Monsieur le Directeur*,” while he, with true Christian condescension, replied “*comment se va-t-il?*” How does all go with you?”

The words were made most expressive by the manner in which they were spoken on both sides, and I was reminded of that beautiful passage in the second chapter of the Book of Ruth. Boaz is said to have been “a mighty man of wealth,” and it is added, “and behold, Boaz came from Bethlehem, and said unto his reapers, ‘The Lord be with you.’ And they answered him, ‘the Lord bless thee.’”

On entering into conversation with the *Directeur* of the Prison when I presented my “permit” from the *Prefet*, we talked of systems. I told him that my acquaintance with prisons had led me to the preference of one particular system above all others that I had known or read of, and that that preference was con-

firmed and strengthened by what I had heard in speeches in the recent Congress in London—what I had seen in the English prisons, and especially what I had gathered in private conversation with gentlemen who took an interest in penitentiary affairs—but I had to repeat to him what I had often said to, and written for, others, viz: that while a good system is necessary to the accomplishment of all the purposes of imprisonment, and the fulfillment of all the wishes of the philanthropist, that good system would have to yield to a less wise system if that were administered with more care, ability and devotion than could be brought to aid the less desirable system. It is the administration that secures the best fruits.

When we were taking leave of this courteous *Directeur*, he turned as if to learn what, on the whole, we thought of his great prison of eleven hundred convicts.

“You will call to mind,” I said, “*M. Directeur*, what I remarked, when I was about to visit your Prison, relative to the importance of administration over system. In the Prison De la Santé you have not *combined*, but *used* two systems, that of the Congregate (by day) and that of the Separate at all times. You have done admirably. By the Separate System you have learned that a better class of men, while they desire to be better, desire to become subjects of the separate discipline, and you have seen and declared that it is easier to improve these men by this system than it would have been by the congregate mode. They are more easily influenced in both opinion and conduct.”

“You have shown to us that a lower order of mind

seeks, when it can have a chance, the 'Congregate' part of your prison, and our observation satisfies us that the utmost care of your subordinates does not prevent verbal intercourse, and, therefore, with such a class no benefit certainly can come from companionship."

"Their industry may diminish something of the cost of their maintenance, but that industry is kept up by that strict surveillance which allows of no affection for the toil, and, therefore, insures no dependence upon the art or trade when the sentence shall have been completed. Your good administration, even of that department, has been productive of temporary good, but your better administration of the Separate System has been productive of permanent benefit to the individual and to society. It is the good administration of the best system that shows the vast capabilities of that mode of dealing with convicts. It is *your* administration of the least valuable, the Congregate System, that shows your abilities to give respectability, at least, to such an imperfect arrangement."

---

THE ACTION OF THE CONGRESS FURTHER PRESENTED AND  
ILLUSTRATED BY RELATION TO THE PRISONS AND  
REFORMATORIES VISITED.

---

Having interrupted the statements relative to the Congress and its proceedings with a statement of what I saw and heard in Prisons and Reformatories in England and France, I return to the proceedings of the

Congress, and present some of the leading questions discussed, with results, and especially with comments upon points that most nearly touch the institutions of our country, their administration and their deficiency, and especially do I dwell upon the Penitentiary System that distinguishes Eastern Pennsylvania, and which seems to receive the approval of all Europe, as either a whole or an essential part of penitentiary policy, and it seemed to be generally conceded that the more extensive its adoption, and the more thorough its administration, the more fully the great ends of Penitentiaries were obtained; and the presentation of the results of visits to the Prisons and Reformatories enables me to present more satisfactorily my views, strengthened or improved by the discussions of the Congress.

---

#### SYSTEMS.

---

The proceedings of the Congress will be published *in extenso*, and a volume of more than a thousand pages will scarcely contain the record. Especially will the various theses of the members swell the book. The discussions will be interesting, as they touch the philosophy of prison system and prison discipline, and will arrest and reward the attention of all who feel an interest in this branch of Social Science. For these particular things I refer the Society to the volume, which will appear, I suppose, early next spring (not before

that, I think). Meantime, some of the points that were discussed by the Congress, and which most interest the Society, I shall notice more at large than others. Among these are the importance and means of reforming the prisoner, and the amount of *reformation* secured or attainable. These are means, and the end of prison discipline as professed by our Society. And I shall include in these considerations, not merely what the Congress heard, but what I saw in my examination of Prisons and Reformatories in Europe, and what impression I received from interesting conversation with persons of both sexes who felt a deep interest in the question of prison discipline and its results. First then of systems.

---

#### THE SEPARATE SYSTEM.

---

To this I give great importance and first position in the discussion of means, because all prison discipline must be accommodated to the system which is to be administered, and hence it is of the first importance to fix upon the system, whether Separate, Congregate or Mixed.

This movement for National and International Congresses will, of necessity, bring into discussion, and force to decision, some elements of prison discipline that have hitherto been left less in abeyance than in unsatisfactory use. Some of them have entered into the System of Prison or Penitentiary Government, and



have by the ability and devotion of those who officially or voluntarily directed them, been eminently useful, while the same elements have, in other places, been brought into discredit and allowed to drop into disuse by the ignorance or idleness of those entrusted with their direction. And it was an unfortunate part of the exhibition of this Congress that those who had failed in administering a good system were more able to denounce what they could not comprehend, or by false views or utter incompetency had failed to conduct with success, than they were to defend, an unsystematized direction of a penal establishment. The great question upon which the public mind is divided, *viz*: whether convicts should be kept separate from each other during their imprisonment, or whether they should be allowed to associate in their labor or their amusement, occupied the attention of Congress, but did not receive that full, perfect investigation to which its importance entitled it. No question before the Congress—no question touching prison discipline before the world, is of greater magnitude than this—because upon its settlement rests almost all the questions of prison regulations that occupied that Congress and divide the views of penologists generally.

Grades and classification of prisoners were dwelt on as important to the government of Penitentiaries, and no less important to the attempts to improve the prisoner. This question and many others would be at once solved if it were understood that no one prisoner should associate with another during the continuance of imprisonment; and it may be said that such a separa-

tion in prison is almost the only means of preventing association of the same persons after their discharge.

This question of Separate Confinement, however, occupied the attention of the Congress, and was dealt with directly. The representatives from the eastern portion of this State presented the question in the light in which they saw it, and dwelt upon the advantage to the prisoner of a separation from other convicts. This view found an antagonism in some who would conceal a failure by passing the blame from the instrument to the system.

Separate Confinement as a part of the sentence was advocated in a manly way by those who believed that the Irish system was preferable.

But it may be mentioned here, that while much earnestness and sincerity were evinced in the arguments of those who advocated the Congregate System, wholly or in part, it was evident that many of them felt and admitted the force of the argument in favor of the Separate System. The objections that were seriously urged being those that relate to the effect of confinement upon the prisoner, and those that relate to the greater value of the labor, I mean, of course, the greater profits upon the labor of Congregate prisoners. Both of these objections, we know by experience, are easily removed, and it was felt that nothing but a little experience was wanting, with time, to insure to the cause of the Pennsylvania system, the suffrages of many of the delegates to that Congress, who, having an hereditary attachment to the old systems, are as yet unprepared to give full efficacy to the irresistible appeals which the

Separate System makes to their judgment—not quite prepared to let go the Congregate for the Separate, especially while those they represent have not had the advantage of the same arguments which have, in some measure, influenced the Representatives' minds.

But while it was remarked that the friends of the Congregate System felt and were yielding to the arguments used by the advocates of the Separate System, it was no less evident that the experience of the advocates of the Separate System was so much in favor of that kind of discipline, that Representatives from various countries in Europe—Belgium, Germany, Bavaria, and partly of France—refused to be influenced by a vote of Congress that might favor any system not entirely of the Separate kind—and expressed their determination to urge upon their respective countries a continuance of that system where it had been adopted, and an adoption thereof where other systems had prevailed.

The growing favor for the Separate System may be inferred from the fact presented by the author of a small pamphlet that carefully sets forth in a condensed form the character of the Congress and its results, viz. : “that after discussing the question of System, and hearing all that was said on each side,” the Representatives “of Belgium, Eastern Pennsylvania, Holland, Baden, Bavaria, Wurtemberg, Saxony, and some of those of France and Prussia, supported the views of the superiority of separation. And these generally intimated their fixed resolve to maintain the System, whether endorsed by the Congress or not. So strong was

“this determination, that although a certain English party appeared inclined to press for a different conclusion, the question was left open by Congress.”

It may be asked here, why there is such a growing sentiment in England and in this country in favor of what is called the Irish System—a system so denominated not because invented in that country, but because it has been applied in that country, and in that country alone.

The answer to such a question must be three-fold. In the first place, its paternity shed upon it a lustre that attracted to it attention. The Right Honorable Sir Walter Crofton, a native and resident of England, conceived the idea and assisted to develop it, where it could be made practical. The system there should be honored with the name of CROFTON.

In the second place, the system of prison discipline had been so bad in Ireland, or the management of prisons in Ireland had been so without system, that any plan that really systematized the administration, was a great advance in the work, and produced benefits so much superior to any which had resulted from the gaols and penitentiaries before, that it was not strange that those who desired to see something good in prisons should think that such an advance was the *ultima thule* of penitentiary requirement.

And *thirdly*, let it be said that the Crofton plan is really a good system; it has in it the elements of entire success. Those elements need augmentation in some points, and distribution in all. But the system bears with it the impress of a master mind, that took in the

wants of society, the deservings of the offender, and many of the means of supplying those wants, and securing the deservings. No man more than Sir Walter Crofton has studied the question of prison discipline, and had he fully comprehended the entire adaptation of the Pennsylvania system to the whole requirement of prison discipline, which at the same time punishes the felon and improves him, and when he should be sent forth to the world, would fix the benefits and rewards, and the character of that improvement, by saving the discharged convict from the almost certain disturbance and frequently the ruin that follows his contact abroad with his fellow-tenant of the penitentiary. Against that terrible evil the Crofton System does not apply safeguards, that were to make it perfect.

*And fifthly*, the Crofton System owes a portion of its popularity, and may, hereafter, in some other countries, owe its adoption to the admirable administration which has distinguished it, ever since its first trial in Ireland. There, lies the secret of effect upon the minds of those who have read of its administration, and of those who have witnessed its workings in its different departments. The system is carried out in all its details. Those to whom is committed the direction, and those who labor even in the lowest ranks of the officers or employees, are conscientious in themselves, or are kept up to their work by the conscientiousness of their superiors. Much machinery is kept in operation to complete the work of this system, and good results from it.

Little machinery is required in the Pennsylvania Sys-

tem, and constant, abundant good results from its admirable administration.

The following replies to a certain question propounded for the Congress show how the Cellular or Separate System is practised in Prussia, and what are its positive and comparative fruits. The writer says:

"The Separate System, that is to say, not only in "keeping the prisoners entirely apart from each other, "but also in keeping them constantly at some work "suited to their aptitude, and causing them to participate "in the instruction, and to be present at the religious "services, procuring for them choice reading, and having "them visited regularly by those who have the care of "the cells, the clergyman, the physician and the teacher, "has produced the most favorable results, as much "upon the mind and the body of the prisoner, as in all "that regards their conduct as prisoners, and the productions of their labor."

"Let us add, that in Prussia there has been no signs "of the inconveniences and bad results which are "charged upon the Separate System by those who have "presented themselves as its adversaries.

"There are found among these inmates of the Separate Cells, none of those remarkable phenomena, "such as mental trouble, derangement and depression "of the spirits, suicide, physical weakness, vices against "nature. Their appearance, where found, is less and "daily more rare.

"The appearance of these prisoners is healthful, and "there is rarely found among them those stolid faces "that are so numerous in other prisons. They generally

“love labor, follow the instructions and the sermon  
“with more attention than the other kind of prisoners,  
“and enjoy the visits of their friends. The infractions  
“of the discipline and the punishments that result  
“therefrom are comparatively rare among these Separate prisoners. As to any grave offences, none have  
“been registered for many years.”

Such is the opinion of those who have had an opportunity to try both systems, and such seems to be the opinion of all who have had experience in the administration of the Separate and the Congregate plans—experience, with knowledge to direct and application to insure the best results, and especially *with singleness of purpose*. Those who make the answer relative to the Prussian System have full experience of the positive and the comparative merits of the two modes. In one of their answers they allude to what is called a Mixed System, which is applauded by some, but of the merit thereof they have no knowledge.

Such, also, it will be seen is the opinion of the *Director* of the Prison De la Santé, in Paris, which will be found expressed in the extended account given of a visit to that large and well conducted Prison, in which the two systems are carried on at the same time. Five hundred prisoners being in Cellular Confinement constantly, and five hundred being Congregates by day and Cellular at night.

In Prussia, the prisons contain twenty-six thousand five hundred prisoners. Forty-seven prisons are provided with cells for Cellular or Separate Confinement

by day and night. These contain two thousand two hundred and forty-seven cells.

There is only one prison which is exclusively reserved for the complete execution of the "Separate System," while in the other forty-six prisons both systems, Cellular and Congregate, are practised in each.

In reply to the question, "What are the results obtained by the two systems?" It is said: "From experience had, especially in Prussia, it is scarcely possible, 'all things considered, to doubt that the number of '*recidives* (repeated convictions) among the convicts is 'lessened where they have previously undergone their 'punishment in 'Separate Confinement.' And while 'advantages of this kind are recognized, there is reason 'to believe that they would not have been obtained 'under the 'Congregate System.'"

In Speaking of the advantages of the Separate over the Congregate System in the treatment of convicts who have been led by their passions to commit felonies that lead them to prison, the German report says: "It is incontestable that a great number of criminals of that character submitted to the Separate '*Régime* have been restored to society completely 'changed and corrected."



FREEDOM OF VISITATION.

---

On this point I wish to offer a few words, as I think it of vast importance, indeed, of primary importance.

When I visited a prison, I made special and close inquiries as to the kind of moral instruction, including, of course, religious advice, which was obtainable by the convicts; who came to see them, and what privileges were granted by the government, either of the nation or the prison; and of such importance did I deem this part of the subject, that I propounded questions to English, Continental and Asiatic delegates to the Congress as to the amount and character of instruction given to the prisoners beyond those supposed to be imparted by the official, resident or visiting clergymen and teachers.

I have already stated that in countries where there is an established religion, there, a clergyman is a part of the staff of the chief officers of the prison, and generally access is given to clergymen of a creed differing from that professed by the resident minister. So far as I could see, there was a growing liberality or justice in this part of prison administration. But while these religious instructors were supplied and secular instruction was also, in some degree, provided for, there was in most places an evident deficiency of that direct dealing with the prisoner which brings home to his heart what he has lost—home to his conscience what he has done, and recalls the affections of home,

which he has outraged, and awakens in him the desire first, and then the resolution, to redeem his losses and re-establish his position.

Now, as in England, Scotland, Wales and Ireland, not to speak of the Continent of Europe, there cannot, as compared with our own State of Pennsylvania, but especially with our own city, Philadelphia, be a deficiency in that self-sacrificing spirit which sends the benevolent to the cell of the convicted felon with messages of kindness and lessons of moral improvement, I was led to inquire for the causes of the difference in the manifestation of the workings of that good spirit. And I think I discovered the cause.

In almost all large prisons in Europe, not in Great Britain and Ireland alone, but also on the Continent, and, be it said with some hesitancy, in the United States also, there is a great unwillingness on the part of the officials generally, to receive visitors to the interior of the prison, either occasionally or regularly. There are some reasons for this exclusive feeling. One may be the unwillingness to expose the convict to the gaze of the unfeeling; another may be certain ideas of the danger of assisting in some way to escape; another may be the probability of disturbing for a time the established and necessary order of the place; and another may be that the authority may not like the inconvenience of visitors—perhaps they may not relish the ventilation which is given to the interior arrangement by the exposure at all times of the minor part of the administration to those not in power.

Whether all these, or any one of them, may be re-

ceived as causing the seclusion to which I have referred, it is certain that the work of voluntary, regular, unremitted visitation by laymen to the cells is not carried on in England as it is by the Committee of the Prison Society in Philadelphia. The restrictions in Great Britain deter from the good work those who would willingly undertake it; while in Philadelphia the members of the Acting Committee of the Society for Alleviating the Miseries of Public Prisons have, by the laws of the State, free access at all times to all the convicts of the public prisons in the State, and the Monthly Reports of their labors prove that, in this city, they make full use of that legal liberty, while their experience shows that the principal officers of the prisons which they visit are no longer opposed to their presence in the gaol, their influence being altogether in favor of order in the prison as well as of permanent improvement in the prisoner.

I repeat now, that if London, with its noble army of prison philanthropists of both sexes, with its profusion of fiscal means, and its profuse use of those means, had a single organization like that of the Pennsylvania Society for Alleviating the Miseries of Public Prisons, and a law giving to the members of that Society the liberties granted by the Pennsylvania Legislature to our members, and if it had, what appears to me to be a *sine qua non*, viz: attentive, vigilant Agents, such as the Philadelphia County Prison and this Society have, that city of millions of inhabitants and of crowded gaols, would in a few years show an improvement in the morals and manners of the convicts, and a diminution of their

number that would gladden the spirits of a Howard and a Fry,

“If the freed spirit heeded aught beneath  
The brightness of the new existence.”

---

#### IMPROVEMENT OF PRISONERS.

---

While consideration was given to the great question of construction of prisons, of the number of prisoners in one establishment, of the mode of administration of the systems ; Separate, Congregate, Mixed, or Progressive, discipline, exercise, punishment, &c., there was less said of the means of reformation, beyond the natural operation of the system, and its prescribed and ordinary functionaries, than would have been heard had not the first consideration been the detention, and the second the employment, of prisoners.

Reformation was, of course, spoken of, especially by those who advocated the Separate System ; indeed it was *spoken* of by some who pleaded for the Congregate plan—but while the former, the advocates of the Separate, looked to the successful labor of voluntary visitors, under particular regulations, some of the others appeared to think that if the established chaplain preached the Gospel to the convicts, not much else was necessary. Whose gospel was not mentioned, nor was particular emphasis laid on the moral or literary qualifications of him that was to preach it.

The forms of Divine worship are maintained in all the prisons of Great Britain, according to the Ritual of the Church of England, and in Ireland, and in some other parts of the United Kingdom, Roman Catholic and Dissenting clergymen are paid for services according to their respective Churches. And in the prisons thus served, great good results from the ministry of these clergymen. The amount of benefit, of course, depends greatly on the zeal, knowledge, and constancy of the chaplain. But there, as in this country, especially in Philadelphia, the great work is done by voluntary prison visitors, who address themselves to the consciences, the interests, the mental proclivity, and sometimes to the prejudices of the convict, and always with more success, as they more and more are found to sympathize in the early acquired religious feelings of their auditor.

It is said that there was an almost unanimous feeling in the Congress that more voluntary Christian visitations are greatly needed in prisons generally, and especially in British prisons. The United States prisons and those of Holland are at present far in advance of other nations in this important respect.

"In England the opposition to facilities for voluntary visitation has repeatedly arisen from a quarter whence it should be least expected; *viz.* from the gaol chaplains who, on mere sectarian grounds, sometimes object to any other religious or moral counsels to the inmates than those communicated by their own individual efforts. The Congress was reminded that many or most of the improvements in English prison

“discipline, in modern times, have arisen through the  
“exertions of *voluntary* and *non-official* visitors, as John  
“Howard, Sir Folwell Buxton, Elizabeth Fry, Sarah  
“Martin, Miss Dix, Thomas Wright, and others. The  
“advocates of the separation of prisoners also urged  
“that, in proportion as criminals are separated from the  
“companionship of their evil associates (a fundamental  
“principle of their reformation), it becomes the more  
“essential that they should be increasingly brought into  
“contact with Christian and beneficial society. Indeed,  
“the latter is the *indispensable complement* and adjunct  
“of the Separate System. This view is prominently  
“urged by the Dutch, German, and Pennsylvanian sup-  
“porters of the Cellular System.”

On Friday evening, fifth of July, the Rev. Dr. Bellows, of New York, delivered an address before the members of the Congress, on the life and character of Howard. On that occasion, the Archbishop of Westminster, Dr. Manning, presided, and when rising to put to vote a motion of thanks to the distinguished lecturer, the Archbishop made the following remarks, with reference to the character of visitations to the prisoner, and especially of the advantages of the visitor manifesting sympathy with the creed of the auditor :

“I am glad to see a proposal has been made in this  
“Congress, not only to admit the most full and free  
“action of religion upon every criminal according to the  
“man’s belief, but also that visitors, wisely selected,  
“having the spirit of Mrs. Fry and John Howard, shall  
“be invited to enter our prisons and exercise that per-  
“sonal apostleship of charity and prudence whereby,

“speaking face to face and alone with criminals, the work of their reformation may be accomplished. I ask for the most full and free admission of the religious teaching which every man conscientiously accepts and seeks for himself, and for this reason: If you have got a perverted will to deal with, I would ask, in the name of Christianity and in the name of common sense, whether you are likely to bring back that perverted will by presenting to him Christianity in that form which to him is repugnant? Is it not obvious you must treat that perverted will as you would treat a fever patient—approach him according as he is able to bear it? Therefore, as in the prisons of Belgium, we must allow the full and free ministration of religion to every prisoner according to his faith and conscience. The sum of the lecture I conceive is this—that reformation can be accomplished now only as it was in the beginning, by the personal presence and personal influence of the wise and charitable, whose working on the perverted nature of the criminal wins that part back again unconsciously to himself; and to do this those who are most near to the example of our Great Master will be the best governors, wardens, chaplains, and visitors of prisons. It is this which gives men power over the hearts of others; without this we may touch them externally, but we shall never change their wills.”

My observation in the prisons did not confirm all that is said in one of the above quotations relative to the jealousy of gaol chaplains of the interfering teachers of other denominations. I saw in the Cold-Bath-

Fields Prison—in the Tottenham, Westminster, female Prison, and in the gaol in Liverpool, ample provision for the full and separate worship of Catholics and of Protestants, and in Liverpool I heard the Episcopal chaplain speak in the highest terms of his colleague, the Roman Catholic priest, in charge of a part of the prisoners. It may be that in some parts of England and Scotland such a jealousy exists. It will give way as soon as the public are furnished with an opportunity of judging of the beneficial effects of the kind of prison teaching recommended by Archbishop Manning, and practised in the Liverpool Borough Gaol, to the satisfaction of visiting magistrates and the public generally. Systems, like men, if good for anything, are more approved as they are better known, and the prejudice which springs from a want of acquaintance, and is strengthened by want of association, soon gives way when a common object is found strong enough to enlist the feelings and judgment in the use of means for its attainment.

But my observations in European prisons, and especially my experience in this city, enable me to bear testimony to the truth and applicability of the remark of the Archbishop that “in prisons we must allow the full and free ministration of religion to every prisoner, according to his faith and conscience.”

In this relation it may be proper to speak of some general views of the effects of imprisonment on the convict which were developed by conversation or by incidental remark.

In England, as in this country, the great mass of



people regard a prison only as a place to detain for *trial* a person who is charged with a violation of the laws, or to detain for punishment, or as a punishment, a person who has been convicted of a violation of the law. Prisons, with them, exist only for the safety of the public, and the vengeance of the law. Such people, if they do not ridicule the efforts of philanthropists to improve the condition of the convict by reforming his principles and aiding him to think and do right, give no credit for the motive or the success of those efforts. They do not seem to have any idea of the improvement of a prisoner.

That improvement seemed to them of such doubtful possibility as to cause a smile when any argument was built upon that hope or end in the debates in the Congress. Instances were given of the good effects of certain treatment, but all such statements, and the arguments founded on them, were smiled at as the visions of enthusiasts, and only steady punishment and hard labor were considered the true ends of conviction and imprisonment.

While the Congress was in session, special invitations were extended to the members to visit most of the penal and reformatory institutions in the country, and times were fixed for the reception and entertainment of the visitors. Unfortunately, these interesting points were so numerous, that necessarily several of the appointments occurred on the same day. This was the case with a visit to Chatham Docks, where one thousand six hundred convicts are employed upon the public works. A previous acceptance of an invi-

tation to another institution deprived me of the pleasure of visiting Chatham with many other members of the Congress—so I did the next best thing, I inquired of a gentleman who had spent the day at the Docks and made himself acquainted with the operations there.

He declared that he was astonished at the admirable discipline of the institution, and the amount of work which the convicts were made to do. Their health, he said, was good.

“But,” I asked, “about the improvement. What have you to say to that? because that ought to be the great end of all penitentiary discipline.”

“You are right,” said he, “and I was careful to look after that.”

“And what was the result—did you learn any particulars of their improvement?”

“Sir, these convicts have made six new docks, and the whole harbor of Chatham has been improved.”

You see that “improvement” is the end and object cherished by most who take an interest in prison regulations. But what improvement and whose improvement, is the question not yet settled to universal satisfaction. To some it seems the improvement of the State Navy Docks is the measure; to others, the improvement of the State funds is the one thing needful; to others, the improvement in the morals and conduct of a human being seems the best use of a prison—the reformed man, the best offering to an injured society.

VARIOUS PRISON QUESTIONS.

---

Besides the important questions of system and discipline, which I have noticed in this report, and which were ably discussed, various other subjects connected with Penitentiaries and Reformatories were introduced and considered. Such as

## TRAINING PRISON OFFICERS.

It was thought that a careful course of subordinate prison duty and actual practice of the discipline is the only effectual training that can be secured. It was also thought that prison officers should not be exclusively selected from military men, nor from any single class of the community.

## CRIMINAL STATISTICS.

It was stated that ambiguous and indistinct statistics are valueless and misleading. A committee was appointed to secure a system of international criminal statistics.

## REMUNERATIVE LABOR.

Mr. Frederick Hill read an interesting paper on remunerative prison labor.

## RESTITUTION.

Mr. Hill urged the importance of considering the

proposition that a prisoner be made to contribute, by his labor, to restitution of what he had done injurious to another.

#### MAXIMUM NUMBER OF PRISONERS.

The question as to the maximum number of prisoners that should be allowed in one prison or penitentiary was discussed. Herr Eckert, of Germany, and M. Stevens, of Belgium, thought that the maximum should be five hundred. Some English and Americans thought that one thousand, or more, could be taken care of. The weight of argument appeared to favor the smallest number.

#### WORKING OFF A PORTION OF PUNISHMENT.

It was the general opinion that the convict should have it in his power to shorten his imprisonment by good conduct. This provision is found extremely useful in Pennsylvania.

#### SENTENCES.

Much fault was found with the English system of sentencing offenders, without adding to the time in consequence of repetition. The long sentences in England were considered as too long—the short, as too short.

#### REFORMATORIES.

This subject is so prolific, in consequence of the vast

difference in character and means of support, and the chance of assisting the graduates, that it scarcely admitted of discussion. It was the opinion of many that "Homes," instead of congregated treatment were best.

#### INSTRUCTION OF PRISONERS.

It was stated that in Cellular Imprisonment the instruction was usually better than in the Congregate. It is found that instruction is not sufficiently considered in prisons.

#### CAPITAL PUNISHMENT.

The subject of Capital Punishment was not considered in the Congress. A conference was held under the auspices of the Howard Association, at which the subject was thoroughly considered. This meeting was attended by most of the Foreign Delegates, and presided over by the Baron Von Holzendorff.

#### CRIME CAPITALISTS.

A paper was read by Edwin Hill, Esq., on the subject of Crime Capitalists. Of course Crime Capitalists are those who sustain the thief and robber, and take and pay for the goods stolen. Severity toward this class of persons, even greater than towards the thief, was considered as the best means of ridding society of their bad deeds.

The other leading points that excited the most interest and elicited the most earnest debate, and which,

as principles and practices seem most interesting to American readers, have been given more at large under their respective heads, less in the form of debate than in the general views of the questions, and the character of the support which they received.

---

#### LITERATURE OF THE CONGRESS.

---

The books laid upon the tables of members of the Congress, the theses, the explanations, and the accounts of existing institutions, form a library in themselves, and will be read; no one had time to read many of them while the Congress was in session, but they will have been read, and with profit, by this time.

Certainly our own country was ably represented in the volumes which treated of penitentiaries. Edward Livingston's great work was abundantly supplied to the members, and almost every phase of every question was presented in book or pamphlet form.

Perhaps the best work presented to the members of the Congress on System of Prison Discipline, was that by our townsman, RICHARD VAUX, the President of the Board of Inspectors of the Eastern Penitentiary of Pennsylvania. It was a history of that institution, *primus aborigine*, and then it stated facts rather than theories, or rather, facts which were stated, illustrated, and showed the entire adaptability of the "Separate System." We have admirable treatises on that sys-

tem, but this was a simple, clear, well-digested statement of facts—of events that showed the true administration of the system, and of its applicability to all penal institutions that are intended to reform the inmates.

Penology has never received a more valuable contribution than this by Mr. Vaux, and it is eminently desirable that it should have a large circulation in this country.

Among those who contributed pamphlets, essays, and statements, was Mr. William Tallack, of London, a gentleman distinguished for his active zeal in the cause of suffering humanity, and for his knowledge of the workings of various prison systems, and the progress of various reformatory plans in his own country, on the Continent of Europe, and in the United States. He was an outspoken friend of the "Pennsylvania System," which he seemed to understand—he had studied the theory, and had made personal examination of its administration in this city.

---

#### RESULTS.

---

The question is often put to me as to the fixed results of the deliberations and discussions of the Congress; on what measures did they take a final vote, and what did that vote determine.

While I think that question natural and pertinent, I think the leaders of the Congress were right in re-

solving that however thoroughly any question of construction, arrangement of the prison, or discipline, employment and instruction of the prisoners, or the surveillance of discharged convicts, may have been examined and discussed, it should not be submitted to a vote of the Congress, because it was inexpedient, perhaps dangerous, for such a result to go forth to the world, as the deliberate, secured opinion of the members of that body, even though that result should be arrived at by a decided majority of members voting in its favor.

But it may be asked "what was the use of discussing, if no conclusions were to be arrived at?"

I answer, "the discussion led to the presentation of views of men who had been thinking of the subject, but often viewing it without those facts or results which experience furnishes, and, thus, while they maintained what had appeared to them the true side of the question, they did not feel entirely at liberty and at once to yield themselves fully to arguments whose cogency they could not fail to admit. It is difficult often for us to distinguish between those forces of rhetoric that confuse and those that convince. The best arguments, sometimes, like the most successful experiments, demand time to secure consent. For example, *First*, several members of the Congress were earnestly in favor of the Separate System of imprisonment—that is, the Pennsylvania System.

*Second*. Some were much opposed to it, chiefly a few who knew nothing about any system of prison discipline—or who knew only enough about a system to feel that they were incompetent to its administration.



*Third.* Some held to the great efficacy of the Separate System as a primary step ; say the first year in a sentence of four or five years, favoring what is called the Mixed System.

*Fourth.* Others believed that the Congregate System, that is, associate labor during the day, and separate cells at night, to be best.

*Fifth.* Others had seen the benefit of the Separate System in Belgium, and in other countries, but were doubtful whether it would not be well to try in some instances the Mixed System.

*Sixth.* A large part of all the Representatives of nearly every country, were influenced by what they regarded as the danger of any system costing too much.

But it was gratifying to find that a large number of Representatives from the Continent of Europe professed a willingness to profit by further inquiries, and to recommend to their respective governments the adoption of a system that on the whole would produce the most benefit.

To have pressed the question to a vote in such a state of mind would have undoubtedly forced a majority to vote against the Separate System, while a large majority were hesitating and becoming more and more in favor of that system.

That view was taken in regard to nearly every question that came under discussion. The object was not to get a vote, but to give and obtain information.

That such information was obtained from the action of the Congress, may be inferred from the fact that a distinguished member of the Congress desired to has-

ten home to Germany, where the parliament was considering the question of Penitentiary systems, and he believed that the information which he had gained in the Congress would greatly influence the action of his country's parliament, of which he was a member.

Other distinguished European statisticians professed to have derived similar benefits from the discussions, and declared that they should use their new views and information in modifying the laws of their respective States.

I have said that direct votes were not taken on any measure however fully discussed by the Congress, but the general nature of the views of the Congress is thus briefly stated in the concluding Report of the Executive Committee :

#### GENERAL VIEWS OF RESULTS.

*First.* Recognizing, as a fundamental fact, that the protection of society is the object for which penal codes exist, the Committee believe that this protection is not only consistent with, but absolutely demands, the enunciation of the principle, that the moral regeneration of the prisoner should be the *primary* aim of prison discipline.

*Second.* A progressive classification of prisoners should be adopted in all prisons.

*Third.* In the treatment of prisoners all disciplinary punishments that inflict unnecessary pain or humiliation should be abolished.

*Fourth.* To impel a prisoner to self exertion should

be the aim of systems of prison discipline, which can never be effective unless they succeed in gaining the will of the convict.

*Fifth. Work, Education and Religion* are the three great forces on which prison administrators should rely.

These seem to be the views of the general results of the labors of the Congress, as bearing simply on the question of prison discipline. But it will be noticed that progressive classification is spoken of as being important, and no doubt it may be important, but the settlement of that question, as of many others discussed by the Congress, depends upon the system to be adopted. If the Congregate System is used, then progressive classification, and much other of that kind of prison machinery must be employed.

But if the Separate System is carried out, classification can only mean grade as it regards the individual, it can have nothing to do with two or more prisoners, Separate Confinement dispenses with a considerable part of the cumbersome machinery of large prisons.

---

E. C. WINES, D.D. LL.D.

---

In noticing the character and position of this Congress, and concurring heartily in the opinion that its labors will result in much good in every part of the world that had a representative in that body, that it

will, indeed, greatly promote the benefit of society, and the cause of sound philanthropy, I should do injustice to my own feelings, to the opinions of most of my fellow delegates in that Congress, if I should omit to make particular mention of the Rev. E. C. Wines, D.D., LL.D., with whom was the conception first of a National Prison Convention, and then the resulting idea of an International Congress.

It is not very difficult to arouse and direct the feelings of certain men towards a good movement, the object of which coincides with their own wishes and views, but to arouse nations to a work of philanthropy, and to insure their consent to, and co-operation with, a great scheme that has in it no direct relation with political, and no element of national, distinction, is indeed a work that might startle the first mover in contemplating the vastness of this view of means, as it did those who had been delegated to assist in the great work. It is not so much the labors of the Congress that will at first strike the contemplating mind, as it is the labor of producing that Congress, of gathering from Hong Kong, from Yeddo, from Calcutta, from Constantinople, from Moscow, Berlin, Geneva, Rome, Brussels, London, New York, Philadelphia, Chicago and Mexico, the delegates who formed the Congress, many of whom bore the credentials from their own Government.

Dr. Wines had not been active in the specialties of prison discipline or prison visitation; he had opinions of his own, but his mission seemed to be to collect the experience and views of others, and he was enabled by the amenity with which he wielded the baton to

produce harmony in an orchestra composed of those who knew little personally of those with whom they were to co-operate.

It was considered marvellous that Dr. Wines should have succeeded so admirably with his lack of individual experience. But we suppose the Crusade owed less to the military knowledge than to the religious zeal of Peter the Hermit, who seemed to have an almost miraculous power of concentrating resolve upon a question of deep interest, and was willing, when he had performed the labor of gathering his hosts to share in the hottest contests to which he had invited them.

The esteem which Dr. Wines won from the members of that Congress, and those who witnessed its deliberations, must have been a satisfactory reward for the Herculean task which he performed.

---

#### AN OBJECTION ANSWERED.

---

Prison Discipline is at once a science and an art—from the exercise of the art men have risen to a comprehension of the *science*. The art must often fail for want of science, and the science will often prove valueless by a want of a thorough understanding and admission that circumstances must govern its application, and that the moral treatment of prisoners must often be different, in different subjects, in the same prison, as

physicians find it necessary to vary their practice among patients in the same hospital.

One remarkable error pervades the mind of people who contemplate plans for the reformation of prisoners without improving any opportunity of witnessing the administration and the effects of those plans. That error may be best exposed by quoting a remark or two which often falls from the mouths of persons who really have humane feelings, and are not generally more inclined than many others to punish offence with any striking severity, and the newspapers, too, sharing in the want of discrimination that results from a lack of information, often join in the remark:

“These philanthropists that would deal so kindly  
“with the guilty convict, seem to overlook the injury  
“that society has sustained in the felonies of the pri-  
“soner, and desire to withhold from him the punish-  
“ment which the moral sense of the community and  
“the justice of our laws would inflict upon him.”

Let me meet that idea by a simple statement of the motives of those who labor *in*, and who labor for, the alleviation of the miseries of public prisons. There is neither effort nor desire to withhold nor withdraw the felon from punishment—the full punishment which public safety requires and the law awards.

The felon's sentence is imprisonment and labor. No one asks that the imprisonment should be withheld, because all admit that the safety of the public requires his separation from society and detention in a place where there is no great danger of the felon adding to his public offence, this constitutes not only the fulfillment

of the law, the vengeance of the law—if such is admissible—but it is the fulfillment of the *first* wishes of the philanthropist who gives himself to the improvement of the prisoner. *Here all agree.*

The careful citizen, who thinks that crime ought to be punished, and that felony is best dealt with in a prison, finds his views realized in the imprisonment of the felon. The philanthropist who is as likely to have as just views of what is due to the community as any other, he being himself a member of that community, applauds the arrest and the imprisonment of the felon—*here all parties agree.*

But the philanthropist sees that the aggregate of individual virtue or vice is the sum of public virtue or vice, and he thinks it due to that same public, to inquire whether the individual withdrawn from public relations may not be restored to society in a morally healthy condition, and thus contribute, by a virtuous course, to make some amends for the injury which his vice inflicted.

Now the convict, unless sentenced for life, or unless he should die in prison, must be restored to some society at the termination of his sentence. All agree on that. Philanthropists only inquire how the released convict may take back to society, to which he returns, virtuous resolutions as part of the repentance which it is hoped will be wrought out in prison.

These Societies, these Assemblies, these National Conventions, and these International Congresses on Penitentiaries and Reformatories, are only to institute those inquiries and elicit the proper answers.

How may that imprisonment, which secures society from the depredations of the felon during his imprisonment, be made to do the most good to society, by restoring that felon as an honest man? The answers are slightly various, but all denote observation, experience, and profound investigation, and discernment and combination, and will in time give the true practical response.

There are then no grounds for this complaint against the philanthropist's efforts in behalf of the prisoner. Confinement and hard labor for the convict are as much a part of the views of the philanthropist as of any other person. The philanthropist looks further, and inquires how this confinement, this restriction, this labor may benefit society, by being used for the moral improvement of the felon, who must return to society either hardened in his felonious intention or improved to wishes and habits of virtue.

It is plain then that while these complaining citizens think that the philanthropist tries to lessen the punishment of the felon, by diminishing the amount of time and labor which are assigned to him by the Court—the philanthropist really asks that the felon may be arrested, placed in close confinement, as the punishment for his crime, in order that he, the philanthropist, may be able to secure the attention of the convict to lessons of affectionate reproof and advice as to the avoidance of future crime. The philanthropist can do nothing abroad in the world, (where temptations and evil associates abound), to make the criminal understand the sinfulness of his sin, and to induce him to good resolves.



The indignant citizens know that while the offender is abroad the safety of the community is in danger.

The citizens say: "Imprison the rogue; keep him close, that he may do no wrong, at least for the term of his sentence, and punish him severely, that he may suffer more for the wrong he has inflicted on society."

The philanthropist says: "Imprison the rogue, that I may show him how much wrong he has done to society and to himself, and inflict upon him the proper severity of the law, that he may the more willingly and readily accept and follow my advice, that he plan no mischief now, and do no more wrong to the public."

The philanthropist does not desire to save culprits from punishment, he only desires that they shall not continue culprits.

I cannot leave the subject without dwelling one moment longer on what was the character and what is likely to be some of the influences of the Congress.

In that assembly we found the true means, and thence must flow some of the true and beneficial results, of that "solidarity of peoples" about which certain vagabond politicians were wont to wound the public ear, and disgust the informed and the prudent.

While man exists as man, a thousand causes must operate to make national divisions and create independent political, as well as separate social, interests.

"Mountains interposed, make enemies of nations." Color, parentage, habits and position are elements of aggregation of individuals, and the means of the segregation of masses. And the people of one water-shed

of a dividing range of hills will hate, fight, conquer and sell into slavery their brothers of the other side, till civilization gives a new direction to conquest, and the subjugation of the *nation* is the alternative of the slavery of the individual.

Pride, hatred, thirst of gold, or the unholy appetite for power in nations is only the aggregate of the meaner principle and practices of humanity.

In the London Congress were assembled men from China, India, Japan, from every Christian nation in Europe, and from Mohammedan Turkey, from seventeen of the States of our own Union, and from Mexico and South America. Jews, Mohammedans, Catholics, Protestants of almost every denomination, and even Pagans were there.

The good of every country grew better as they comprehended the development of goodness in others. The hereditary nobleman ennobled his nature and exalted his rank by his participation in works of social reform, and added new lustre to his coronet as he pleaded for human rights, and devoted himself to human improvement. The crosier of the Bishop had new significance as its holder showed himself ready to consider and adopt the best means to gather back the strayed ones of his flock, and lift into Christian proprieties and benefits the sensualist, the vicious and the guilty.

Never did human energies seem more worthily employed than in that Congress. And while all were seen devoting themselves with the true spirit of humanity, to make the misfortunes of the young, and the

punishment of the vices and crimes of the old, the fulcrum upon which to elevate them to virtue and usefulness; it was gratifying to perceive that the lever of philanthropy was moved by the spirit of religion, and that men and women of all creeds had found a work upon which they could gratify the highest and holiest of their aspirations without the sacrifice of a single dogma of their religion.

---

#### CONCLUSION.

In looking back upon the great International Congress, one is struck with the character of its components, the extent of interests represented, the ability with which those interests and views were presented, and the zeal, according to knowledge, with which they were advocated.

As late as the early part of this century International Congresses were unknown. The close of the career of the first Napoleon suggested international conferences as to the means of retaining power in the hands of Kings and Emperors, as much against the uprising of their own subjects, as against the rising up of a hostile sovereign. The political interests of nations, and the personal interests of monarchs, were alone consulted. Since that time popular interests have had time to augment into consideration, and while religious bodies have, as of old, held Congresses, or General Councils,

that were in their character international, though only denominational in their title, questions of social or business consequence have been considered by international representatives, and the conformity of weights and measures, and coins, have been considered and recommended.

But it was reserved as the distinctive feature of this year, for nations to come into council upon a question that was independent of commercial regulations and appliances, above mere political considerations, and aside from religious denominational distinction—a question of pure humanity, that involved the best uses of politics, and illustrated the purest qualities in the citizen, for till the individual is corrected or rightly reared, crime must disturb social life, and unchecked ambition weaken national association.

We have seen that Emperors meet and consult upon the means of consolidating their powers. They talk of the peace of Europe—but only when war would weaken their influence.

Science has her congresses—and religion her convocations, all of which produce good *directly*, by promoting the main object of deliberation—*indirectly*, by causing new interests to overlap nations.

But the London Congress brought together men who seemed to have no common interest—but that of their common humanity, and they deliberated how best the great principles of that humanity could be established, and how administered, for general benefit. Each individual will, indeed, gratify his gentler feelings in promoting the good of the erring, and add, to his

own community, the security and respectability that result from the reformation of the criminal, but the great spirit of Christian philanthropy, that is not limited by geographical boundaries, is operative to general ends—and while it inspires efforts that at first are operative in limited areas, contemplates with delight the extending influences of its power, and triumphs in the universality of the results.

Respectfully submitted by

JOSEPH R. CHANDLER.

7

Sept 2  
1877









#### ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all orders of the Society, or of the Acting Committee, signed by the Presiding officer and Secretary; and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations, and life subscriptions, shall be safely invested; only the income thereof to be applied to the current expenses of the Society.

#### ARTICLE V.

The Acting Committee shall consist of the officers of the Society, ex-officio, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover, to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

#### ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

#### ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

#### ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* fifth day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

#### ARTICLE IX.

No alterations of the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the presiding officer shall have the casting vote.

# OFFICERS OF THE SOCIETY.

1878.

PRESIDENT,—JAMES J. BARCLAY.

VICE-PRESIDENTS, { JOSEPH R. CHANDLER,  
WILLIAM S. PEROT.

TREASURER,—HENRY M. LAING.

SECRETARIES, { JOHN J. LYTLE,  
EDWARD TOWNSEND.

COUNSELLORS, { HENRY J. WILLIAMS,  
WILLIAM DUANE.

## *Members of the Acting Committee.*

Charles Ellis,  
Thomas Latimer,  
James E. Kaighn,  
Alfred H. Love,  
George Taber,  
William Nicholson,  
Albert G. Rowland,  
Theodore Trewendt,  
William J. Mullen,  
Thomas A. Robinson,  
John Livezey,  
A. Jackson Ourt, M. D.,  
Rev. Chas. F. Diver,  
John C. Farr,

Joseph Kinike,  
George W. Hall,  
William Hawkins,  
Augustus Thomas,  
J. J. Woodward,  
William Vanderveer,  
Rev. E. R. Beadle,  
William Ingram,  
Horace W. Pitkin,  
Harry Kennedy,  
William H. Burr,  
Samuel W. Jacobs,  
Caleb J. Milne,  
Leonard N. Walker,

Edward Marshall,  
Albert H. Francisous,  
Anthony M. Kimber,  
T. Ellwood Chapman,  
William Whitehead,  
Edward H. Bonsall,  
Andrew H. Miller,  
Nathan Smith,  
Henry G. Townsend,  
Rev. John J. Joyce, Jr.,  
Robert M. Foust,  
Charles A. M'Keone,  
Joseph A. Donnelly.

## *Visiting Committee on the Eastern Penitentiary.*

John J. Lytle,  
Henry M. Laing,  
James E. Kaighn,  
Alfred H. Love,  
George Taber,  
William Nicholson,  
Albert G. Rowland,  
Theodore Trewendt,  
John Livezey,  
A. Jackson Ourt, M. D.,

Rev. Chas. F. Diver,  
William Hawkins,  
Augustus Thomas,  
J. J. Woodward,  
William Vanderveer,  
Horace W. Pitkin,  
Harry Kennedy,  
William H. Burr,  
Samuel W. Jacobs,  
Caleb J. Milne,

Leonard N. Walker,  
Anthony M. Kimber,  
T. Ellwood Chapman,  
William Whitehead,  
Edward H. Bonsall,  
Henry G. Townsend,  
Rev. John J. Joyce, Jr.,  
Robert M. Foust,  
Charles A. M'Keone,  
Joseph A. Donnelly.

## *Visiting Committee on the County Prison.*

Joseph R. Chandler,  
William S. Perot,  
Charles Ellis,  
Thomas Latimer,  
William J. Mullen,

Thomas A. Robinson,  
John C. Farr,  
Joseph Kinike,  
George W. Hall,  
Rev. E. R. Beadle,

William Ingram,  
Edward Marshall,  
Albert H. Francisous,  
Andrew H. Miller,  
Nathan Smith.

WILLIAM J. MULLEN, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.











